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1962–63 Edition

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[Revised as of June 1, 1962]

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Title 3—THE PRESIDENT

Proclamation 3514

NATIONAL FREEDOM FROM HUNGER WEEK

By the President of the United States of America

A Proclamation

WHEREAS the United States, as a member of the Food and Agriculture Organization of the United Nations, is participating with nearly one hundred other countries of the world in the FAO international Freedom-from-Hunger Campaign; and

WHEREAS the American Freedom from Hunger Foundation has been established to provide citizen leadership for the campaign in the United States; and

WHEREAS the Congress of the United States, by Public Law 87-841, approved October 18, 1962, has authorized this Nation, in furtherance of the international Freedom-from-Hunger Campaign, to be host to the World Food Congress from June 4 to 18, 1963; and

WHEREAS the farmers of this Nation have produced an abundance of food for our own people and for sharing with others; and

WHEREAS the people of the United States, in sharing our national abundance through their generous support of overseas assistance programs of religious organizations, voluntary agencies, and private groups and foundations, and through Food For Peace and other governmental programs, have demonstrated their concern with the problem of hunger and malnutrition throughout the world; and

WHEREAS there is a need for a rededication of men's minds and hearts to the inspiring possibilities of working together to free the world from hunger:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, do hereby designate the week of March 17 through March 23, 1963, as National Freedom from Hunger Week.

I ask the American Freedom from Hunger Foundation to take national leadership in planning appropriate observance of this week; and I urge American citizens in all walks of life to participate in the observance of National Freedom from Hunger Week.

I also ask that all Government departments and agencies which have official responsibilities in the field of food, nutrition, and international relations take appropriate steps to observe, and to cooperate with private groups in observing, National Freedom from Hunger Week.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-second day of January in the year of our Lord nineteen hundred and sixty-three, and of the Independence of the United States of America the one hundred and eighty-seventh.

[SEAL]

JOHN F. KENNEDY

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 63-918; Filed, Jan. 24, 1963; 11:43 a.m.]

Executive Order 11078

CREATING A BOARD OF INQUIRY TO REPORT ON A LABOR DISPUTE AFFECTING THE BALLISTICS MISSILE, SPACE VEHICLE AND MILITARY AIRCRAFT INDUSTRY

WHEREAS, there exists a labor dispute between the Boeing Company and certain of its employees represented by the International Association of Machinists, AFL–CIO, the International Guards Union of America (Ind.), the International Union of United Weldors (Ind.), the International Union of Operating Engineers, AFL–CIO, the Vertol Division of the Boeing Company and certain of its employees represented by the United Automobile, Aerospace and Agricultural Implement Workers of America, AFL–CIO, and the Auburn, Washington, plant of the Rohr Aircraft Corporation, a subcontractor of the Boeing Company, almost all of whose production is utilized by the Boeing Company, and certain of its employees represented by the International Association of Machinists, AFL–CIO; and

WHEREAS, in my opinion such dispute threatens to result in a strike affecting a substantial part of an industry engaged in trade or commerce among the several States or with foreign nations, or in the production of goods for commerce, which strike, if permitted to occur or to continue, will imperil the national safety:

NOW THEREFORE, by virtue of the authority vested in me by section 206 of the Labor-Management Relations Act, 1947, 61 Stat. 155 (29 U.S.C. 176), I hereby create a Board of Inquiry, consisting of Honorable Benjamin Aaron, Chairman, Honorable J. B. Gillingham and the Honorable Lloyd Ulman as members, to inquire into the issues involved in such dispute.

The Board shall have powers and duties as set forth in Title II of such Act. The Board shall report to the President in accordance with the provisions of section 206 of such Act on or before Friday, January 25, 1963.

Upon submission of its report, the Board shall continue in existence to perform such other functions as may be required under such Act.

JOHN F. KENNEDY

THE WHITE HOUSE,
January 23, 1963.

[F.R. Doc. 63–899; Filed, Jan. 24, 1963; 9:46 a.m.]

Rules and Regulations

Title 6—AGRICULTURAL CREDIT

CHANGE IN CODIFICATION

CROSS REFERENCE: For redesignation of Part 485 of this title, see Editorial Note under Chapter XIV of Title 7, infra.

Title 7—AGRICULTURE

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

CHANGE IN CODIFICATION

EDITORIAL NOTE: Part 485, Chapter IV, Title 6, appearing at 27 F.R. 6037, June 27, 1962, is transferred to Title 7, Chapter XIV and redesignated Part 1485.

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 1 (Rev. 2)]

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

Idle Operating Funds

Pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, there is amended, as set forth below, § 107.710 of Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations as revised in 27 F.R. 9743-9754.

Information and effective date. Amendment 8 (Revision 1) dated July 19, 1962 (27 F.R. 6827), provided that idle operating funds could be placed on time deposits with a commercial bank, evidenced by a time certificate of deposit, the maturity of which shall not be longer than 6 months from the date of such deposit. Experience has indicated that the maturity of such time certificates of deposit can be extended from the period of six months to a period of one year.

Since the subject amendment amounts to a relaxation of the former regulation and is therefore exempt from the rule-making requirements of the Administrative Procedure Act (5 U.S.C. 1003), and because of the necessity of promptly applying the amendment to the program authorized under the Small Business Investment Act of 1958, as amended, it shall become effective upon publication in the FEDERAL REGISTER.

The regulations governing small business investment companies are amended as follows:

1. By deleting the words "six months" from § 107.710, and inserting in lieu thereof the words "one year." As amended, § 107.710 reads as follows:

§ 107.710 Idle operating funds.

Funds of a Licensee not employed in accordance with the provisions of sections 304 and 305 of the Act and the Regulations thereunder, and not invested in accordance with the last sentence of section 308(b) of the Act, as soon as practicable after receipt thereof, shall be placed on demand deposit with a commercial bank (or banks) which is a member of the Federal Deposit Insurance Corporation, or placed on time deposit with such a bank, evidenced by a Time Certificate of Deposit, the maturity of which shall not be longer than one year from the date of such deposit: *Provided, however*, That a Licensee may establish and maintain an imprest petty cash fund in an amount not to exceed $500 at any one time.

Dated January 21, 1963.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 63-830; Filed, Jan. 24, 1963; 8:46 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Programs, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[9th General Rev., Export Reg.; Amdt. No. 58]

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

The following miscellaneous amendments are made to Subchapter B:

PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

1. Section 370.2(a) is amended by adding a footnote reference 1 to subparagraph (1) and the following footnote:

[1] See § 379.1(d) of this chapter regarding the requirement of a Shipper's Export Declaration for certain exportations to Canada.

2. Section 370.3(b) is amended by adding the following parenthetical material at the end thereof: "(see § 379.1 (d) of this chapter)."

PART 371—GENERAL LICENSES

3. Section 371.2(c) is amended by revising subparagraph (3) to read as follows:

(3) *Exportations to foreign vessels or aircraft in foreign ports.* Except for exportations under General License RCS, § 371.13(d), no commodity may be exported under the provisions of any general license to, or for use of, a foreign vessel or aircraft, whether an operating vessel or one under construction, located in any foreign port, including a Canadian port, unless the provisions of the general license would permit the shipment to be made (i) to the country in which the vessel or aircraft is located, and (ii) to the country in which the vessel or aircraft is registered or, in the case of a vessel or aircraft under construction, to the country in which the vessel or aircraft will be registered, and (iii) to the country, including a national thereof, which is currently controlling, leasing, or chartering the vessel or aircraft.

4. Section 371.2 *General provisions* is amended by adding the following paragraph (d):

(d) *Record keeping.* The Export Regulations require the keeping of records. See § 381.11 of this chapter.

5. Section 371.7(a) is amended to read as follows:

(a) *Scope.* A general license designated GO is hereby established, subject to the other provisions of this section,[1] authorizing the exportation of R commodities to any destination in Country Group O as listed in § 371.3(a), except that no exportation may be made under this general license to Cuba.

6. Section 371.8(a) is amended by deleting subdivision (iii) of subparagraph (1) and revising and renumbering subdivision (iv) to read as follows:

(iii) No exportations of the following automotive vehicles having front and rear axle drive may be made under this general license to the Republic of the Congo (Leopoldville): Commercial motor trucks, chassis, or special purpose vehicles of 10,000 pounds gross vehicle weight or under, Schedule B Nos. 79011, 79015, 79113, and 79130; or non-military passenger cars and chassis (including station wagons), Schedule B Nos. 79070 and 79075.

7. Section 371.8(b)(3) is revised to read as follows:

(3) *Retention of records.* The document of acknowledgment required to be obtained from the foreign purchaser (see subparagraph (1) of this paragraph), and the documents constituting evidence of the contracts of purchase and sale shall be kept and made available for inspection in accordance with the provisions of § 381.11. (The Export Regulations contain further record keeping requirements. See § 381.11 of this chapter.)

8. Section 371.10(d) is revised to read as follows:

(d) *Positive List commodities.* Commodities included on the Positive List of Commodities (§ 399.1 of this chapter), whether or not included in a single entry, may be exported in a single shipment under this general license to all destinations, except Hong Kong, Macao, Poland (including Danzig), a Subgroup A destination (see § 371.3(a)), or Cuba, as follows:

(1) *R destinations.* RO or R commodities may be exported to Group R destinations, provided that the net value of the commodities included in each single entry on the Positive List does not exceed the GLV dollar-value limit specified for that entry in the column headed "GLV Dollar-Value Limits."

(2) *O destinations.* RO commodities may be exported to Group O destinations, provided that the net value of the commodities included in each single entry on the Positive List does not exceed the GLV dollar-value limit specified for that entry in the column headed "GLV Dollar-Value Limits" (including those limits specified as "none"), or $500, whichever is higher.

NOTE: *R Commodities.* R commodities may be exported without dollar-value limit to Group O destinations under the provisions of General License GO (§ 371.7), except that no such commodities may be exported to Cuba.

9. Section 371.11 *General license BAGGAGE and TOOLS OF TRADE* is amended by adding the following sentence at the end of paragraphs (a)(1) and (b): "However, commodities listed on the Positive List of Commodities may not be taken out of the United States to any Subgroup A country, Poland (including Danzig), or Cuba under this general license."

10. Section 371.13(a) is amended in the following respects:

a. Subparagraph (1) is amended by revising subdivisions (i) and (ii) to read as follows:

(i) The following commodities may be exported, subject to the conditions set forth in subparagraphs (2) and (3) of this paragraph, for use or consumption on board a vessel of any registry, during the outgoing and immediate return voyage, except a vessel registered in, owned or controlled by, or under charter or lease to Communist China, North Korea, the Communist-controlled area of Viet-Nam, or Cuba or a national of any of these countries:

(*a*) Bunker fuel;

(*b*) Deck, engine, and steward department stores, provisions and supplies for both port and voyage requirements;

(*c*) Medical and surgical supplies;

(*d*) Food stores;

(*e*) Slop chest articles; and

(*f*) Saloon stores or supplies.

(ii) Equipment and spare parts for permanent use on a vessel, when necessary for the proper operation of such vessel, may be exported on board a vessel of any registry, except a vessel registered in, owned or controlled by, or under charter or lease to a Subgroup A country, Poland (including Danzig), Cuba or a national of any of these countries.

b. Subparagraph (2) is amended by revising subdivision (iv) to read as follows:

(iv) Is registered in, owned or controlled by, or under charter or lease to a Subgroup A country, Poland (including Danzig), or Cuba or a national of any of these countries.

11. Section 371.13(b) is amended in the following respects:

a. Subparagraph (1) is amended by revising subdivisions (i) and (ii) to read as follows:

(i) The following commodities may be exported, subject to the conditions set forth in subparagraph (2) of this paragraph, for use or consumption on board an aircraft of any registry, during the outgoing and immediate return voyage, except in aircraft registered in, owned or controlled by, or under charter or lease to Communist China, North Korea, or the Communist-controlled area of Viet-Nam or a national of any of these countries:

(*a*) Fuel;

(*b*) Deck, engine, and steward department stores, provisions and supplies for both port and voyage requirements;

(*c*) Medical and surgical supplies;

(*d*) Food stores;

(*e*) Slop chest articles;

(*f*) Saloon stores or supplies.

(ii) Equipment and spare parts for permanent use on an aircraft, when necessary for the proper operation of such aircraft, may be exported on board an aircraft of any registry, except an aircraft registered in, owned or controlled by or under charter or lease to a Subgroup A country or Poland (including Danzig) or a national of any of these countries.

b. Subparagraph (2) is amended by revising subdivision (iv) to read as follows:

(iv) Is registered in, owned or controlled by, or under charter or lease to a Subgroup A country or Poland (including Danzig) or a national of any of these countries.

12. Section 371.13(c) is amended by revising the proviso following subparagraph (2) to read as follows:

Provided, That the personal and household effects indicated in this paragraph shall include only such articles as are owned by such crew member; intended, necessary, and appropriate for his use or that of his immediate family; in his possession at the time of his departure from the United States for a foreign country; not intended for resale; not exported under a Bill of Lading as cargo; not intended for importation into Communist China, North Korea, the Communist-controlled area of Viet-Nam, or Cuba; and not exported from the United States on a carrier which is registered in Communist China, North Korea, the Communist-controlled area of Viet-Nam, or Cuba.

13. Section 371.18 *General license GLR* is amended in the following respects:

a. Paragraph (a)(2) is amended by deleting subdivision (iii).

b. Paragraph (c) is amended by adding the words "or to Cuba" at the end of the last sentence.

c. Paragraph (d) is amended by adding the words "to Cuba," after the words "Viet-Nam".

d. Paragraph (e) is revised to read as follows:

(e) *Commodities exported for inspection, testing, calibration, repair, overhaul, and return to U.S.* (1) Any commodity which was manufactured in a foreign country may be exported under this general license to the country from which originally imported into the United States or to the country in which manufactured for the purpose of being inspected, tested, calibrated, repaired or overhauled and returned to the United States, except that no exportation may be made under this paragraph (e) to Hong Kong, Macao, a Subgroup A destination, or Cuba. Any commodity exported under this general license shall be returned to the United States as soon as the repair or overhaul is completed.

(2) Where a commodity is returned to the country of manufacture and this is not the same country as the one from which imported into the United States, the name and address of the manufacturer shall be shown on the Shipper's Export Declaration in addition to the other information required by this section.

14. Section 371.21 *General license GIFT; shipments of gift parcels* is amended in the following respects:

a. Paragraph (a) is amended by adding the words "non-Positive List commodities in" after the words "the exportation of".

b. Paragraph (b) is amended to read as follows:

(b) *Definition.* The term "gift parcel" as used herein means a parcel containing non-Positive List commodities to be sent by an individual in the United States (the donor) free of cost to an individual or a religious, charitable, or educational organization in a foreign destination (the donee) for use of the donee or the donee's immediate family in the case of an individual, and for use by the organization in the case of a religious, charitable, or educational organization. The payment by the donee of any handling charges, or of any fees levied by the importing country (e.g. import duties, taxes, etc.) are not considered to be a cost to the donee for purposes of this definition of "gift parcel." The term "gift parcel" does not include multiple parcels exported in a single shipment for delivery to individuals residing in a foreign country. Such multiple parcel shipments, unless authorized by one of the other general licenses set forth in Part 371 of this chapter, must meet validated license requirements, including the submission of a license application in accordance with all of the provisions of the Export Regulations.

c. Paragraph (c)(2) is amended by adding the words "types of non-Positive List commodities" after the words "restricted to those" in the first sentence.

d. Paragraph (c)(3) is amended by revising "$50." to read "$100."

15. Section 371.51 *Supplement 1; Commodities subject to General License GHK*

or GLSA is amended in the following respects:

a. The following commodities are added to the list with the symbol H:

Bug bombs (aerosol dispensers) containing 16 ounces or less of insecticide, Schedule B No. 82270.

Calcium propionate, Schedule B No. 82999.

b. The following commodities are deleted from the list:

Ferrovanadium and other vanadium alloying materials containing over 6 percent vanadium, Schedule B No. 62240.

Vanadium ores, waste, and alloying materials, Schedule B Nos. 66491–66495.

Spectroscopic dry plates, Schedule B No. 91400.

c. The symbol S is deleted from the list with respect to the following commodities:

Electrolytic manganese, Schedule B No. 66441.

Sugar-mill machines, n.e.c., and specially fabricated parts and accessories, n.e.c., Schedule B No. 76110.

Cigarette and cigar-making, and tobacco processing machines, n.e.c., and specially fabricated parts and accessories, n.e.c., Schedule B No. 76200.

d. Substitute the following entries for entries presently on the list:

Commodity	Schedule B. No.	Symbol
Household laundry equipment, vacuum cleaners, dishwashers, and other household electric-motor-driven appliances (including gas dryers); and specially fabricated parts and accessories, n.e.c	70680–70705	H S
Electrical machinery and apparatus:		
Electric flatirons	70710	H S
Electric ovens	70720	H
Household electric cooking ranges (over 2½ kilowatts), except electron ovens	70720	H S
Parts, n.e.c., specially fabricated for electron ovens	70722	H
Parts, n.e.c., specially fabricated for household electric cooking ranges, except for electron ovens	70722	H S
Other electric household cooking and heating appliances and specially fabricated parts and accessories, n.e.c	70731–70738	H S
Electron ovens, and specially fabricated parts and accessories, n.e.c	70740	H
Other electric commercial cooking (except bakery) and food service equipment, n.e.c and specially fabricated parts and accessories, n.e.c	70740	H S
Typewriters, and parts:		
Standard typewriters (other than automatic) and portable typewriters, new, used, and rebuilt	77700–77742	H S
Multitype typewriters (e.g., Varitypers ®)	77745	H
Other automatic typewriters and typewriters, n.e.c., except electric typing devices capable of being connected to and operating over a wire communication circuit	77745	H S
Parts and accessories, n.e.c., specially fabricated for multitype typewriters (e.g., Varitypers ®)	77750	H
Parts and accessories, n.e.c., specially fabricated for other typewriters, except for electric typing devices capable of being connected to and operating over a wire communication circuit	77750	H S
Office machines, n.e.c., and specially fabricated parts and accessories, n.e.c.:		
Adding machines, nonlisting; card punch equipment; collating machines; cylinder shaving machines; cylinders for dictating machines; discs for recording machines; Formalines ®; listing-adding machines; multitype typewriters (e.g., Varitypers ®); photo composing machines (e.g., Coxheadliners ®, Headliners ®, and Typros ®); and pocket adding machines; and specially fabricated parts and accessories therefor	77799	H
Other office machines, n.e.c., and specially fabricated parts and accessories therefor, except calculating machines; Foto List ® machines; Lightning Calculators ® (adding machines); magnetic tape for recording machines; needles for recording machines; and remote dictation stations	77799	H S

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16. Section 371.52 *Supplement 2; Commodities destined to Poland (including Danzig) which are excepted from General license GRO* is amended in the following respects:

a. The following commodities are added to the list:

Schedule B No.	Commodity
21895	Organic flocculating agents, such as but not limited to: Arguard, and Jaquar ® gum.
76696	Size measuring machines and instruments, n.e.c., and specially fabricated parts and accessories, n.e.c.
77561	Metal heat-treating furnaces, nonelectric.
77745	Electric typing devices capable of being connected to and operating over a wire communication circuit.
77750	Parts and accessories, n.e.c., specially fabricated for electric typing devices capable of being connected to and operating over a wire communication circuit.
82590	Ion exchange resins (including membranes).
82992	Organic flocculating agents, such as but not limited to: Aerofloc ®.[1]
83265	Organic flocculating agents such as but not limited to: Aerofloc ®, Nalcolyte ®, Polyox ®, Separan ®, and Superfloc ®.

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[1] For other items under this Schedule B number which require a validated license for shipments to Poland (including Danzig), see Positive List (§ 399.1).

(b) The following entries are substituted for entries on the list under Schedule B Nos. 74052–74550:

Schedule B No.	Commodity
74052	Jig boring machines.
74054	Horizontal boring-drilling-milling machines (combination units).
74056	Boring machines, n.e.c.
74061	Tapping machines, n.e.c.
74062	Threading machines.
74070	Knee and column type milling machines.
74075	Bed-type milling machines (single and multiple spindle).
74077	Profiling and duplicating milling machines, including diesinking millers.
74079	Milling machines, n.e.c.
74086	Gear-hobbing machines.
74100	Gear tooth grinding and gear tooth finishing machines, n.e.c.
74112	Gear-cutting machines, n.e.c.
74200	Drilling machines, vertical.
74210	Radial drilling machines.
74231	Drilling machines, unit head or way type.
74234	Drilling machines, n.e.c.
74260	Planers, except gear planers.
74270	Shapers and slotters, except gear shapers and slotters.
74350	Surface grinding machines (using wheels or abrasive-coated paper or cloth).
74391	External cylindrical grinding machines.
74410	Internal cylindrical grinding machines.
74420	Tool and cutter grinding machines (including universal tool and cutter grinders).
74427	Sawing and cut-off machines (except lathe-type), including contour sawing and filing machines.
74429	Honing and lapping machines, except gear.
74435	Metal polishing and buffing machines, n.e.c. (including machines using abrasive belts, buffs, brushes, or set-up-wheels), except manually-operated bench and floor types.
74439	Grinding machines, n.e.c. (including general-purpose grinders using abrasive belts or abrasive wheels).
74440	Multi-station machine tools (include only machines in which the work piece is moved successively from station to station).
74445	Broaching machines, n.e.c.
74450	Metal-cutting machine tools, n.e.c.

Schedule B No.	Commodity
74453	Saw blades, n.e.c., specially fabricated for metal-cutting machine tools.
74455	Metal-cutting tools (not incorporating industrial diamonds), n.e.c. specially fabricated for metal-cutting machine tools.
74456	Parts, n.e.c., specially fabricated for metal-cutting machine tools (including items which are an integral part of the machine to which they are applicable, and without which the specific machine could not operate).
74457	Accessory equipment, n.e.c., specially fabricated for metal-cutting machine tools (including jigs and fixtures and other items which are in addition to standard machine tools and which tend to increase the efficiency and adaptability of the machine).
74459	Metalworking hydraulic presses, power-driven.
74461	Metalworking mechanical presses, power-driven.
74463	Bending machines and roll forming machines (except presses and wire working machines).
74465	Punching or shearing machines, metalworking, except presses.
74466	Forging machines and hammers, except hydraulic forging presses.
74468	Parts and accessories, n.e.c., specially fabricated for metal-forming machine tools, n.e.c.
74476	Metal container manufacturing or reconditioning machines, n.e.c., and specially fabricated parts and accessories, n.e.c.
74480	Rolling mill machines, including pipe or tube mill machines, and specially fabricated parts and accessories, n.e.c.
74485	Metal finishing, cleaning, and coating machines, n.e.c., and specially fabricated parts and accessories, n.e.c.
74500	Molding machines.
74505	Die-casting machines, and specially fabricated parts and accessories, n.e.c.
74511	Blast cleaning or tumbling machines for castings, and specially fabricated parts and accessories, n.e.c.
74529	Foundry equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.
74550	Diamond dies for metalworking machines.

17. Section 371.53 *Supplement 3; Commodities destined to the Dominican Republic which are excepted from General license GRO* is deleted.

18. Section 371.54 *Supplement 4; Commodities subject to General license GCU* is amended by deleting the entry for Schedule B Nos. 17020–17500, and revising the entry for Schedule B Nos. 17660–17800 to read as follows:

Schedule B No.	Commodity
	Beverages and related products:
17660	Flavoring and coloring syrups for food products, beverages and medicinals.
17800	Beverages, except malt liquors, wines, and whiskey and other distilled liquors and compounds containing spirits.

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

19. Section 372.2(c) is revised to read as follows:

(c) *Project license.* A "Project License" is a validated license authorizing the exportation of commodities (and technical data where specifically authorized) required for a specified activity for a period of approximately one year from the issuance of the license. (See Part 374 of this chapter.)

20. Section 372.4(f) is amended by revising subparagraph (4) to read as follows:

(4) *Retention of records.* The documents constituting evidence of an order and of the facts relating to the purchase transaction, as defined in subparagraph (2) of this paragraph, or other transactions referred to in subparagraph (3) of this paragraph, shall be kept and made available for inspection in accordance with the provisions of § 381.11 of this chapter. (The Export Regulations require the keeping of records. See § 381.11 of this chapter.)

21. Section 372.7(b)(3) is amended by revising subdivisions (i) and (ii) to read as follows:

(i) *Country of ultimate destination.* Show country where the vessel or aircraft will take on the commodities or technical data. If it is uncertain at the time of filing the license application as to where the vessel or aircraft will take on the commodities or technical data, but is is known that the commodities or technical data will not be shipped to Hong Kong, Macao, Poland (including Danzig), a Subgroup A destination, or Cuba, enter the following statement on the license application:

Uncertain; however, shipment(s) will not be made to Hong Kong, Macao, Poland (including Danzig), a Subgroup A destination, or Cuba.

An export license issued under this circumstance will bear the following destination restriction:

Shipment(s) may be made to the named (vessel) (aircraft) at any port in any country except Hong Kong, Macao, Poland (including Danzig), a Subgroup A destination, or Cuba.

(ii) *Ultimate consignee in foreign country.* Show name of owner and port or place where commodities or technical data will be taken aboard. Also, if a vessel, show name of vessel. If the port or place where the commodities or technical data will be taken aboard is unknown, enter the statement shown in subdivision (i) of this subparagraph.

22. Section 372.9(b) is revised to read as follows:

(b) *Original must be available.* The Office of Export Control may demand the original of any copy of a document submitted in support of an export license application. Such original shall be kept and made available for inspection in accordance with the provisions of § 381.11 of this chapter. (The Export Regulations contain further record keeping requirements. See § 381.11 of this chapter.)

23. Section 372.12(b) is amended by adding the following at the end of subparagraph (2): "In addition, any authorization to reexport or redistribute commodities to a Subgroup A destination, Poland (including Danzig), or Cuba, whether authorized on the validated export license or separately pursuant to paragraph (c) of this section, expires on the last day of the sixth month following the month in which the reexportation is authorized unless otherwise specified. The United States exporter shall, in connection with each such authorization, furnish written notification to the ultimate consignee of this limitation on the validity period of the reexportation authorization. Requests for authorization to reexport from Switzerland or Liechtenstein to any country or to reexport from any country to the destinations listed in paragraph (c) of this section shall be supported by the information and documentation set forth in paragraph (c) of this section."

24. Section 372.12(c) is amended by deleting subdivision (iii) of subparagraph (2), and adding a new subparagraph (3) to read as follows:

(3) Where the Office of Export Control has authorized a type of reexportation described in subparagraph (2) (i) or (ii) of this paragraph, the United States exporter shall advise his foreign consignee of the amount of reexportation and name of person or firm to whom the reexportation has been approved.

(i) Any authorization to reexport or redistribute commodities to a Subgroup A destination, Poland (including Danzig), or Cuba, whether authorized on the validated export license or separately pursuant to this paragraph (c), expires on the last day of the sixth month following the month in which the reexportation is authorized unless otherwise specified. The United States exporter shall, in connection with each such authorization, furnish written notification to ultimate consignee of this limitation on the validity period of the reexportation authorization.

(ii) A request for an extension of the validity period of a reexportation or redistribution authorization shall be submitted in the same manner as a request for the reexportation authorization (see subparagraphs (1) and (2) of this paragraph), except that the documentation required by subparagraph (2)(ii)(*b*) of this paragraph need not be resubmitted if the original documents remain valid. The request for extension shall, in addition to the other information required, include information identifying the original authorization, the date of the authorization, the name of the countries covered, the commodities and quantities originally authorized for reexportation, and the commodities and quantities remaining to be reexported.

(iii) The document authorizing reexportation shall be kept and made available for inspection in accordance with the provisions of § 381.11 of this chapter. (The Export Regulations contain further record-keeping requirements. See § 381.11 of this chapter.)

25. Section 372.12(d) is amended by deleting subparagraph (1).

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

26. Section 373.2(a) is amended by adding new subdivisions (v) and (vi) to subparagraph (2) to read as follows:

(v) An application for a license supported by a Form FC-43, Statement by Foreign Importer of Aircraft or Vessel Repair Parts or by Form FC-143, Request for Authorization to Distribute United States Origin Commodities Stocked Abroad to Approved Customers, or by current Station Number or Validation number of either of these forms (see §§ 373.3 and 373.4); or

(vi) An application for a license to export commodities for display at a trade fair or exhibition (see § 373.6).

27. Section 373.3(b) is amended by revising subparagraph (3) and adding a note to read as follows:

(3) A foreign importer qualifying under this procedure is authorized to use the United States origin parts in the repair, maintenance or servicing of any vessel or aircraft, provided the vessel or aircraft is not registered in, or not owned, or controlled by, or not chartered or leased to a Subgroup A country, Poland (including Danzig), or Cuba, or any national of any of these countries.

NOTE: Any undertaking made prior to January 29, 1962, that commodities imported will not be used in the repair, maintenance, or servicing of vessels or aircraft owned or operated by, or chartered or leased to, the Armed Forces of the Dominican Republic is no longer binding and the person entering this undertaking is released therefrom.

28. Section 373.3(c) is amended by adding the following note at the end thereof:

NOTE: The undertaking that the commodities imported will not be used in the repair, maintenance, or servicing of vessels or aircraft owned or operated by, or chartered or leased to, the Armed Forces of the Dominican Republic, may be deleted from the Certification (Item 7.b) of all Forms FC-43 (Revised April 1, 1961) submitted for consideration to the Office of Export Control.

29. Section 373.3(g) is amended by deleting the following words from subdivision (iii) of the certification set forth in subparagraph (1):

* * * or vessels or aircraft owned, operated, or controlled by or chartered or leased to the Armed Forces of the Dominican Republic, * * *

30. Section 373.4(c) is amended by adding the following words at the beginning of subparagraph (5):

(5) Except as provided in subparagraph (4) of paragraph (e) of this section, * * *

31. Section 373.4(e) is amended in the following particulars:

a. The following words are added at the beginning of subparagraph (1):

(1) Except as provided in subparagraph (4) of this paragraph, * * *

b. A new subparagraph (4) is added to read as follows:

(4) A Form FC-243 need not be obtained in any case where the customer is an agency of the United States Government (as described in § 371.14(b) of this chapter) or of a foreign government (as defined in § 373.65(a)(2)(iv)), provided the commodities are to be distributed to the government agency. Instead of a Form FC-243, the name and address of the foreign government agency shall be submitted for approval by means of a letter in five copies to the Office of Export Control, and if approval is received, two validated copies of the letter will be returned. The approval will remain valid until the expiration of the related Form FC-143 or any extension thereof. Notice to, and approval of, the Office of Export Control is not required where the distributor makes a sale under this procedure to a United States Government agency.

32. Section 373.4(g) is amended by revising subparagraphs (1) and (2) to read as follows:

(1) The United States exporter has the option of entering either of the two destination control statements set forth in subdivisions (i) or (ii) of this subparagraph on the Shipper's Export Declaration, commercial invoice and Bill of Lading related to all exportations from the United States made under the Form FC-243 procedure:

(i) These commodities licensed by the United States for ultimate destination (name of country). Diversion contrary to United States law prohibited.

The country where the foreign-based stock is located shall be shown as the ultimate destination in this statement. Use of this destination control statement in no way prohibits the distributor from distributing these commodities to other countries provided that the distribution is restricted to customers approved on a Form FC-243.

(ii) These commodities licensed by the United States for ultimate destination (name of country) and for distribution or resale in (name(s) of country(ies)). Diversion contrary to the United States law prohibited.

The country where the foreign-based stock is located shall be shown in the first blank space. The country where approved customers are located shall be shown in the second blank space.

(2) The destination control statement set forth in subdivision (ii) of subparagraph (1) shall be entered on each commercial invoice and Bill of Lading sent to the approved foreign customer, whether the invoice or Bill of Lading is prepared in the United States by the exporter or abroad by the distributor. The destination control statement entered on the invoice or Bill of Lading sent to the foreign customer shall show the customer's country in the first blank space, and in the second space any country or countries to which reexportation is authorized by the customer's validated Form FC-243 shall be shown.

33. Section 373.4(h) is amended by revising subparagraphs (2) and (3) to read as follows:

(2) All other forms, documents, correspondence, memoranda, books, and other records, as required to be retained by this procedure, relating to any exportation from the United States under the Form FC-243 procedure shall be kept and made available for inspection in accordance with the provisions of § 381.11 of this chapter.

(3) All records regarding a distribution, sale, or reexportation from a foreign-based stock under this Form FC-243 procedure (including distributions to government agencies under the provisions of paragraph (e)(4) of this section) shall be retained at the office from which the distribution is controlled for a period of three years from the date of distribution. In addition, any Swiss Blue Import Certificate or Yugoslav End-Use Certificate obtained in accordance with the requirements of this procedure shall also be retained by the distributor for a period of three years from the date the commodities are distributed. As a minimum, these records shall contain for each distribution the following:

(i) Validated Form FC-243 number assigned to the customer;

(ii) Full description of each commodity shipped from the foreign-based stock;

(iii) Units of quantity or value of each commodity distributed; and

(iv) Date of shipment.

34. Section 373.4(i) is redesignated (j) and a new paragraph (i) is added to read as follows:

(i) *Extension of validity period*—(1) *Form FC-143.* In lieu of a new Form FC-143, a request for extension of the validity period of a previously approved Form FC-143 will be considered for approval by the Office of Export Control if there are no changes in the facts, intentions, or responsibilities set forth in the form previously approved. The request for extension shall be submitted by the United States exporter by means of a letter, in five copies, which shall include the following certification:

CERTIFICATION: I (We) certify that I (we) have reread the Form FC-143 which was executed on __________ and which expires on __________, and I (we) hereby specifically reaffirm all of the facts, intentions, and responsibilities set forth thereon for the period ending (insert June 30 next year or an earlier termination date if desired). The commodities covered will be distributed exclusively to customers approved by the Office of Export Control and under no circumstances will they be distributed, directly or indirectly, to Poland (including Danzig), Cuba or a Subgroup A country, without prior approval from the Office of Export Control or to any person in any country if there is reason to believe that the commodities will be reexported to an unauthorized destination.

The Forms FC-143 originally approved and the validated copies of this extension, if approved, shall be retained for a period of three years from the date of the validation of this extension, and all records relating to any distribution, sale, or reexportation under the Form FC-243 procedure shall be retained in accordance with the Export Control Regulations.

A supplementary statement will be submitted for the approval of the Office of Export Control disclosing any change of facts or intentions which may occur after the submission of this extension request.

____
(Name of firm)

____
(Signature of official of firm)

____
(Date of signature)

____
(Typed or printed signature)

(2) *Form FC–243.* (i) If there are no changes in the facts, intentions, or responsibilities of the United States exporter with respect to his previously approved Form FC–143, in lieu of submitting a new related Form FC–243, the coverage period of the currently valid Form FC–243 on file in the Office of Export Control may be similarly extended by the submission to the Office of Export Control of (*a*) a certification completed by the customer and (*b*) a copy of the distributor's letter to his customer requesting the completion of such certification. Such certification and letter shall meet, as a minimum, the requirements described below and shall be submitted in five copies.

(ii) The following certification shall be signed by the customer:

I (We) certify that:

(1) I (We) have reread our Multiple Transactions Statement by Customer of Distributor of United States Commodities Stocked Abroad, Form FC–243 dated________;

(2) The facts contained in this Statement which will expire on __________ have not changed to date;

(3) The facts contained in this Statement accurately and completely reflect our past and present relationship with (Name of distributor) and our intended use and disposition of commodities received during the period ending (June 30 of next year, unless an earlier termination date is desired);

(4) I (We) shall promptly send a supplemental statement to the named distributor disclosing any change of facts or intentions which occurs after the signing of this certification; and

(5) With respect to any shipment which I (we) propose to dispose of contrary to the representations made in the above described Form FC–243, or contrary to limitations on countries of distribution which I (we) receive on my (our) commercial invoice or comparable documents, I (we) will notify the named distributor, and will secure the United States Government approval through this distributor prior to such disposition.

____
(Date of signing)

(Print or type)

____
(Name of customer)

____
(Address of customer)

____
(Signature of official of firm named)

____
(Name and title of person signing statement)

(iii) The distributor's letter to his customer requesting the above certification shall, among other things, include the following instructions: (*a*) The original Form FC–243 shall be reexamined to make sure that the facts and intentions have not changed; (*b*) the commodities shall be used in the authorized countries only; (*c*) the commodities shall not be diverted or transshipped from authorized destinations to other destinations without prior United States approval; and (*d*) the exporter must be informed of any future change of facts or intentions from those stated in the certification.

(iv) The certification completed by the customer and the copy of the distributor's letter to his customer requesting the completion of such certification, must be received in the Office of Export Control before the expiration date of the Form FC–243 or any previous extensions thereof.

(3) *Change in facts, intentions, or responsibilities.* If there has been a change in the facts, intentions, or responsibilities set forth on a Form FC–143 by the United States exporter, a new Form FC–143 must be submitted to the Office of Export Control. If this change in any way affects the facts, intentions, or responsibilities of a customer of the distributor, a new Form FC–243 is also required from each such customer. An extension of a customer's outstanding Form FC–243 will be considered for approval by the Office of Export Control only if no changes in the facts, intentions, or responsibilities set forth thereon result from either changes in the Form FC–143 or from any other cause.

35. Section 373.5 *Licensing policy for agricultural commodities and manufactures thereof covering shipments to Subgroup A destinations or Cuba* is amended to read as follows:

§ 373.5 Licensing policy for agricultural commodities and manufactures thereof covering shipments to Subgroup A destinations or Cuba.

(a) *Subsidized Commodities*—(1) *Definition.* For the purpose of this regulation a subsidized agricultural commodity is defined as any agricultural commodity or manufacture thereof which is:

(i) Obtained directly or indirectly from the Commodity Credit Corporation, either in the form acquired or in processed form;

(ii) Shipped in substitution for a commodity acquired directly or indirectly from the Commodity Credit Corporation under an export disposal program; or

(iii) Subsidized for export by the Secretary of Agriculture or by the Commodity Credit Corporation either by cash payments or by payments in kind.

(2) *Exportations and reexportations to Cuba.* It is the general policy of the Office of Export Control to deny applications for validated licenses to export, or requests for authority to reexport, subsidized agricultural commodities and manufactures thereof to Cuba.

(3) *Exportations and reexportations to Subgroup A destinations.* Applications for export licenses or requests for authority to reexport, covering proposed shipments of subsidized agricultural commodities and manufactures thereof to a Subgroup A destination, except Communist China, North Korea, or the Communist-controlled area of Viet-Nam, may be considered for approval provided the United States seller receives payment in United States dollars or in currency convertible into United States dollars, the exportation from the United States has not been or will not be financed under Public Law 480, the sale does not involve the United States seller in any barter arrangement and the commodities will not be reexported from the Subgroup A country unless authorization is received from the Office of Export Control. Such applications for export license or requests for reexportation authorization shall include the applicable certification set forth in this section.

(i) *Exports from the United States.* A license application covering a subsidized agricultural commodity shall be accompanied by a certification from the importer in the Subgroup A country that the commodities will not be reexported from that country unless and until authorization is received from the Office of Export Control. In addition, the exporter shall enter the following certification on the license application in the space entitled "Additional Information" or on an attachment thereto:

I (We) certify that (1) payment to (me) (us) has been, or will be made in United States dollars or currency convertible into United States dollars; (2) the exportation from the United States is not being financed under Public Law 480; and (3) the sale does not involve (me) (us) in any barter arrangement.

(ii) *Reexportations.* Requests for authority to reexport to a Subgroup A destination shall be submitted by letter to the Office of Export Control by the United States exporter and shall be accompanied by a certification from the importer in the Subgroup A destination that the commodities will not be reexported from that destination unless and until authorization is received from the Office of Export Control. In addition the letter request shall contain the following certification:

I (We) certify that (1) (I) (we) have been, or will be, paid for these commodities in United States dollars or currency convertible into United States dollars; (2) none of these commodities was exported from the United States under either the Mutual Security program, or the foreign currency, barter, or other Public Law 480 program; and (3) the sale does not involve (me) (us) in any barter arrangement.

(b) *Non-subsidized commodities*—(1) *Exports from the United States.* License applications covering proposed shipments of non-subsidized agricultural commodities and manufactures thereof to any Subgroup A destination, except Communist China, North Korea, or the Communist-controlled area of Viet-Nam, or to Cuba, may be considered for approval. Such license application submitted to the Office of Export Control shall contain the following certification in the space entitled "Additional Information" or on an attachment thereto:

I (We) certify that (1) the commodities covered by this application have not been and will not be obtained directly or indirectly from Commodity Credit Corporation stocks; (2) the commodities will not be shipped in substitution for a commodity acquired directly or indirectly from the Commodity Credit Corporation under an export disposal program; or (3) if the exportation is eligible for a subsidy under a surplus agricultural commodity export program of the Secretary of Agriculture or the Commodity Credit Corporation, such subsidy has not been and will not be claimed or obtained.

NOTE: See § 371.8 of this chapter for exportations under General License GRO of surplus agricultural commodities and manufactures thereof.

(2) *Reexportations.* Requests for authority to reexport non-subsidized agricultural commodities and manufactures thereof to any of the destinations set forth in subparagraph (1) of this paragraph, may be considered for approval if the commodities had not been exported from the United States under either the Mutual Security program or the foreign

currency, barter, or other Public Law 480 program. Such requests shall be submitted by letter to the Office of Export Control by the United States exporter and shall contain the following certification:

I (We) certify that (1) none of these commodities was exported from the United States under either the Mutual Security program, or the foreign currency, barter, or other Public Law 480 program; (2) the commodities covered by this request for authority to reexport have not been obtained directly or indirectly from Commodity Credit Corporation stocks; (3) the commodities were not shipped in substitution for a commodity acquired directly or indirectly from the Commodity Credit Corporation under an export disposal program; or (4) if the exportation is eligible for a subsidy under a surplus agricultural commodity export program of the Secretary of Agriculture or the Commodity Credit Corporation, such subsidy has not been and will not be claimed or obtained.

36. Section 373.6 *Return of unused quota* is revoked.

37. Section 373.7 *Commodities exported for exhibition* is redesignated § 373.6 and the following added at the beginning of paragraph (c):

(c) Where commodities are returned to the United States after display at a trade fair or other exhibition in a Subgroup A country or Poland (including Danzig) the applicant shall notify the Office of Export Control in writing of the case number shown on the related United States validated export license, the customs import entry number (if any) of the returned shipment, the date of return, and the port of entry at which all or any part of the commodities were returned to the United States. If only a part of the commodities are covered by the notification, a full explanation shall be included, and an additional written notification shall be sent for each partial return until the entire shipment described on the related United States validated export license is returned.

38. Section 373.41(b) is amended by adding a new subparagraph (4) to read as follows:

(4) *Validity period.* Export licenses issued for the exportation of copper scrap, Schedule B Number 64130, or of copper-base alloy scrap, Schedule B Number 64400, will be valid for a period of three months. In addition, the validity period of licenses for these commodities generally will not be extended.

39. Section 373.52 *Parts and accessories for automotive vehicles* is revoked.

40. Section 373.65 *Ultimate consignee and purchaser statements* is amended by adding to paragraph (a)(2) the following new subdivisions (vii) and (viii):

(vii) The application for a license is supported by a Form FC–43,[1] Statement by Foreign Importer of Aircraft or Vessel Repair Parts; or by a Form FC–143,[1] Request for Authorization to Distribute United States Origin Commodities Stocked Abroad to Approved Customers; or by the current Station Number or validation number of either of these forms (see §§ 373.3 and 373.4); or

(viii) Exportation of commodities will be made for display at a trade fair or exhibition (see § 373.6).

41. Section 373.67 *Switzerland and Liechtenstein* is amended by adding to paragraph (b) the following new subparagraphs (3) and (4):

(3) *Approved Form FC–43 or FC–143.* An application for a license to export commodities to Switzerland or Liechtenstein is exempted from the requirement for the submission of a Swiss Blue Import Certificate if such license is supported by Form FC–43, Statement by Foreign Importer of Aircraft or Vessel Repair Parts; or by a Form FC–143, Request for Authorization to Distribute United States Origin Commodities Stocked Abroad to Approved Customers; or by the current Station Number or validation number of either of these forms. However, this exemption does not relieve an exporter, or his distributor, of the requirement that this Certificate be obtained and held available for inspection under the Form FC–243 Procedure. (See §§ 373.3 and 373.4.)

(4) *Shipments to trade fairs.* An application for a license to export commodities for display at a trade fair or exhibition in Switzerland or Liechtenstein is exempted from the requirement for submission of a Swiss Blue Import Certificate.

42. Section 373.70 *Yugoslavia* is amended by adding to paragraph (b) the following new subparagraphs (3) and (4):

(3) *Approved Form FC–43 or FC–143.* An application for a license to export commodities to Yugoslavia is exempted from the requirement for the submission of a Yugoslav End-Use Certificate if such license application is supported by Form FC–43, Statement by Foreign Importer of Aircraft or Vessel Repair Parts; or by a Form FC–143, Request for Authorization to Distribute United States Origin Commodities Stocked Abroad to Approved Customers; or by the current Station Number or validation number of either of these forms. However, this exemption does not relieve an exporter, or his distributor, of the requirement that this Certificate be obtained and held available for inspection under the Form FC–243 Procedure. (See §§ 373.3 and 373.4.)

(4) *Shipments to trade fairs.* An application for a license to export commodities for display at a trade fair or exhibition in Yugoslavia is exempted from the requirement for submission of a Yugoslav End-Use Certificate.

43. Section 373.72 *United Arab Republic* is revoked.

PART 374—PROJECT LICENSES

44. Section 374.2 *Commodities and technical data subject to Project License* is amended by deleting the words "Positive List commodities" and substituting therefor the words "commodities whether or not on the Positive List,".

45. Section 374.4 *Application procedure,* paragraph (b)(4), is amended by substituting the words "in Schedule B" for the words "on the Positive List" in the third sentence of subdivision (i); the heading of the example following subdivision (i) is revised to read "Validated License Requirements For First Year", and the last sentence of the note following the example is amended to read as follows:

NOTE: * * * For example, in the illustration above, an amendment is necessary only if the grand total value of all shipments under the Project License to Country Groups O and R will exceed $705,000.

46. Section 374.5(a) is amended by revising the introductory portion of subparagraph (1) to read as follows:

(1) *Issuance of license.* When an application for a Project License is approved by the Office of Export Control, a separate document, Form FC–628, Export License, is issued authorizing, subject to provisions of the Export Regulations and to the terms and provisions of the license, the exportation of commodities requiring a validated license (and technical data where specifically authorized) during the validity period shown on the license. The Project License will be similar to validated license documents described in § 372.11 of this chapter with the following exceptions:

47. Section 374.7(a)(4) is amended by revising Item 13a to read as follows:

Item 13a—List only commodities requiring a validated license (including shipments which are exportable under General License GLV but which the licensee will ship under the Project License). Use broad descriptive categories corresponding with unnumbered commodity subgroup headings which appear in "Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States." It is essential that the total for each subgroup heading listed in Item 13a include only commodities which will be shipped under the Project License.

48. Section 374.7(b) is amended by deleting the words "Positive List" in subparagraph (2).

49. Section 374.9 *Export clearance* is amended by revising the note following paragraph (c) and amending paragraph (e) to read as follows:

NOTE: Although the Project License and extensions thereto describe the commodities in broad descriptive categories, commodity descriptions on the Declaration shall be more specific. The description of a commodity included on the Positive List (1) shall conform to the applicable Positive List description, and (2) it shall also incorporate any additional information where required by Schedule B (for example, type, size, or name of specific commodity). The description of a commodity not on the Positive List need meet only Schedule B requirements.

* * * * *

(e) *Shipments exportable under General License GLV.* Notwithstanding any statement appearing on a Project License, a Project License holder may use either his Project License or General License GLV to export commodities which meet the provisions of General License GLV. The Project License, however, may not be used for shipments which can be made under any other general license.

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[1] Forms FC–842, FC–843, FC–43, and FC–143 may be obtained at all Department of Commerce field offices and from the Office of Export Control, Bureau of International Programs, Department of Commerce, Washington 25, D.C. Foreign importers may obtain copies of these forms from their United States exporter or from United States diplomatic and Consular offices.

PART 376—PERIODIC REQUIREMENTS (PRL) LICENSE

50. Section 376.3(a) is amended by revising subparagraph (2) to read as follows:

(2) *Records and record keeping.* An applicant for a PRL License shall have in his possession, at the time the application is filed, documentary evidence of the existence of the relationship with each ultimate consignee, as described in subparagraph (1) of this paragraph. The documents and records shall be kept and made available for inspection in accordance with the provisions of § 381.11 of this chapter. (The Export Regulations contain further record keeping requirements. See § 381.11 of this chapter.)

PART 377—TIME LIMIT (TL) LICENSE

51. Section 377.3(b) is amended by revising the last sentence to read as follows: "The documents and records shall be kept and made available for inspection in accordance with the provisions of § 381.11 of this chapter. (The Export Regulations contain further record keeping requirements. See § 3811.11 of this chapter.)"

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

52. Section 379.1 *General export clearance requirements* is amended by adding new paragraphs (d) and (e) to read as follows:

(d) *Exportation to Canada.* No person shall export any commodity or technical data to Canada until a duly executed Shipper's Export Declaration consistent with the Bureau of the Census Regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States, shall have been presented to and authenticated by the Collector of Customs. Where the Bureau of the Census regulations do not require the filing of a declaration, or where a delay in the filing of a declaration is authorized, an oral declaration shall be made to the Collector at the port of exit, describing the commodity or technical data to be exported and stating that it is for exportation to Canada.

(e) *Responsibility of Licensee and Agent.* Under the Export Regulations, the exporter to whom a license is issued or who undertakes to export under a general license is legally responsible for the proper use of that license and for the due performance of all its terms and provisions. This responsibility continues even when he acts through a freight forwarder or other forwarding agent.

53. Section 379.3(c)(3) is amended by deleting subdivision (iii) and the note following the subparagraph, and substituting the following subdivision (iii) to read as follows:

(iii) For an exportation from the United States to foreign countries made via Canada, the exporter shall present for authentication an additional copy of the Declaration.

54. Section 379.4(c) is revised by deleting subparagraph (1) and substituting therefor new subparagraphs (1) and (2) to read as follows, and redesignating subparagraph (2) as subparagraph (3):

(1) *Validated license shipments.* The commodity description on the Declaration shall include the same commodity description as shown on the related validated license. However, since the commodity description shown on the license may be stated in Positive List terms or condensed from the description submitted on the license application (Form FC–419), it may be inadequate to meet Bureau of the Census statistical requirements. For statistical purposes, the Bureau of the Census requires that the commodity description shall give sufficient detail to permit verification of the Schedule B number assigned. Therefore, the commodity description on the Declaration shall incorporate further detail in addition to that appearing on the license, whenever such further detail will aid in confirming that the proper Schedule B number is entered on the Declaration (e.g., sizes, material, or degree of fabrication of the specific commodity).

(2) *Designation of specific commodity.* Many commodity classification descriptions in Schedule B are followed by instructions such as "Specify by name," "State species," etc. Where such instruction appears, the more specific information called for should be furnished in column 10 of the declaration, in addition to all other information necessary to verify the Schedule B number assigned. When a single Shipper's Export Declaration covers more than one item classifiable under a single one of the classifications carrying the "Specify by name" or similar requirement, such as "State species" or "Specify type," separate quantities, values, and shipping weights for the individual items are not required. Each item should be separately enumerated in Column (10), except that if more than five items are involved, all classifiable under one Schedule B number, only the five items of greatest value in the classification are required to be separately enumerated.

55. Section 379.10(c) is amended as follows:

a. Subparagraph (2) (ii)(a) and (iii)(*a*) is amended by deleting the last sentence starting with "Similarly, where commodities listed in § 371.53 of this chapter * * *," and substituting therefor, in subparagraph (2) (ii)(*a*) and (iii)(*a*), the following: "* * * Similarly, where commercial motor trucks, chassis, or special purpose vehicles of 10,000 pounds gross weight or under, and having front and rear axle drive, are exported to any destination other than the Republic of the Congo (Leopoldville) under any general license, the Republic of the Congo (Leopoldville) must be included in the list of prohibited countries set forth on the statement."

b. The following new subparagraphs (6), (7), (8), and (9) are added:

(6) Shipper's export declarations, bills of lading, and commercial invoices prepared and issued in the United States to cover exportations are the only shipping documents affected by the destination control provisions. Such documents as consular invoices, inland bills of lading covering movements to port, letters of credit, ship's manifests, packing lists, dock receipts, and warehouse receipts do not require the destination control statement. The exporter has the primary responsibility for assuring the entry of the destination control statement on the declaration, the bill of lading, and the commercial invoice whether or not he prepares all of these documents. If a forwarder, carrier, or other party prepares or issues these documents he also is responsible for seeing that a correct statement is placed on the documents.

(7) Where a freight forwarder, carrier, or other agent of the exporter undertakes to prepare a declaration or a bill of lading without having in his possession a copy of the commercial invoice the determination as to which destination control statement is applicable will depend on whether the shipment is being exported under a validated or a general license. Where the shipment is made under a validated export license, the appropriate statement to be used may be determined from the license. For a shipment made under a general license, an understanding must be reached between the exporter and his carrier, forwarder or other agent as to which destination control statement shall be used. While a carrier has no obligation to determine which destination control statement, if any, is required on a declaration, he must see that the same destination control statement which appears on the latter document also appears on the corresponding bill of lading before the contract of carriage is issued. Since the primary purpose of the destination control statement is to provide advice to the importer with respect to the United States reexportation provisions which apply to a specific transaction, the effectiveness of the regulation will be lessened if one statement appears on the commercial invoice and a different statement appears on the bill of lading.

(8) A destination control statement may be preprinted on shipper's export declarations, bills of lading, or commercial invoices. However, only one of the three destination control statements in this paragraph (c) may be preprinted on any one of these documents.

(9) If one bill of lading is issued for two or more individual shipments and two or more destination control statements are applicable to these shipments, the applicable destination control statement should be entered beneath each shipment or group of shipments to which it applies. However, in some cases a bill of lading may use a single freight tariff classification to describe several

commodities which, for export control purposes, require the use of more than one form of the destination control statement. If in such a case it is impracticable to attempt to separate the commodities on the bill of lading into the different export control groups and enter the appropriate destination control statement below each group, the most restrictive form of statement applicable to any of the groups shall be used on the bill of lading for the entire shipment. The commercial invoice and shipper's export declaration should, nevertheless, segregate the commodity groups and contain the proper destination control statement for each group. If the face of the export license indicates that the commodities are licensed only for the country of ultimate destination the shipper may use the first statement (see subparagraph (2) (i) of this paragraph); or, if he desires to do so, he may use the second statement (see subparagraph (2) (ii) of this paragraph) with the word "none" inserted in the last blank space. If the face of the export license indicates that the commodities are licensed for country of ultimate destination, and for distribution or resale to other countries, the shipper should use the second statement with the names of the countries to which distribution or resale is authorized inserted in the last blank space. In all cases the countries shown in the last blank space shall include only those authorized on the face of the license.

56. Section 379.10(d) is amended by revising the last sentence of subparagraph (2) to read as follows: "The forwarding agent shall also keep and make available for inspection, in accordance with the provisions of § 381.11 of this chapter, a copy of his notification to the exporter and the original of the exporter's assurance to him. (The Export Regulations contain further recordkeeping requirements. See § 381.11 of this chapter.)"

57. Section 379.10(h) is amended as follows:

a. Subdivisions (i), (ii), (iii), (iv) of subparagraph (2) are deleted and new subdivisions (i) and (ii) are substituted therefor to read as follows:

(i) The validated export license, the authenticated declaration, and the outbound bill of lading (including a railroad through bill of lading) covering the same export shipment must be consistent with one another. The bill of lading, whether in negotiable or non-negotiable form, is not consistent if:

(*a*) It does not provide for delivery of the shipment (cargo) at a port located in the country of either the ultimate consignee or intermediate consignee named in the authenticated declaration, or if it contains words or a statement indicating that the shipment is in transit to a different country of ultimate destination from the country of ultimate destination named in the authenticated declaration, such as consigning the shipment to the ultimate destination with a qualifying phrase indicating the shipment is "in transit" at that destination, or consigning the shipment to a free zone or free port when it is known or there is reasonable cause to believe that the shipment is not for consumption in the country in which the ultimate consignee is located.

(*b*) It names as shipper any person other than the licensed exporter or his duly authorized forwarding agent. Where shipments from more than one exporter are consolidated on a single bill of lading, the shipper named on the bill of lading must also appear as the authorized forwarding agent for each licensed exporter on each declaration.

(*c*) The name and address of the licensed ultimate consignee are not shown either in the space provided for "consignee" or in the body of the bill of lading under the caption "licensed ultimate consignee and notify party"; or in the case of the Air Waybill under the caption "also notify", except that where shipments to more than one licensed ultimate consignee are consolidated on one bill of lading and the names of all licensed ultimate consignees are not shown in the body of the bill of lading, the name of the intermediate consignee (customs broker or consolidator's agent in the foreign country) who will receive and distribute the goods to the licensed ultimate consignees must appear on the bill of lading, the export license, and the declaration. Where the name of the intermediate consignee in such a consolidated shipment differs from that shown on the validated license, or does not appear on the license, an amendment of the license is necessary even though the intermediate consignee is in the same country as the ultimate consignees.

(ii) In the case of negotiable bills of lading (i.e., "order" bills of lading) the bill of lading is deemed consistent only if the consignee or order party named in the bill of lading is named in the authenticated declaration. An "order" bill of lading may consign the commodities or technical data covered thereby to the order of the shipper, to the order of an intermediate consignee (whether bank, foreign freight forwarder or other intermediary), or to the order of purchaser (if not the same as the licensed ultimate consignee). An "order" bill of lading issued in any of these forms constitutes a representation on the part of such shipper that the commodities or technical data covered by the validated license, authenticated declaration, and bill of lading are ultimately destined to such ultimate consignee, that the document has not been used for the purpose of evading the terms and conditions of the validated license, and that pursuant to the contract of carriage, the commodities or technical data will be delivered at a port located in the country of the ultimate consignee or of the intermediate consignee named in the authenticated declaration.

b. Subdivisions (v), (vi) and (vii) of subparagraph (2) are redesignated respectively (iii), (v) and (vi) and a new subdivision (iv) is added to read as follows:

(iv) On the authenticated declaration the commodity description shall include the same commodity description as shown on the related export license, and in addition, it shall include more detailed information where required by the Bureau of Census. (See § 379.4(c).)

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

58. Section 380.2(f) is amended by adding a new subdivision (v) to subparagraph (3):

(v) Request for amendment or extension of a license for exportation of copper scrap, Schedule B Number 64130, or exportation of copper-base alloy scrap, Schedule B Number 64400.

59. Section 380.4 *Extension of licenses*, paragraph (a), is amended to read as follows:

(a) *Time for submission of requests.* A licensee may submit a request for extension of the validity period of a license which will expire before shipment can be made, except that a request to extend the validity of a license issued under the emergency clearance procedure set forth in § 372.5(i) of this chapter will not be granted. It is essential that the request for extension be submitted sufficiently in advance of the expiration date to allow the Office of Export Control to send an advice of amendment by regular mail to the licensee and the Collector of Customs holding the license before the license expires. However, except for licenses covering exportations to Subgroup A destinations, Poland (including Danzig) Yugoslavia, or Cuba, where unusual circumstances have made it impossible for the licensee to submit his request for extension before the expiration date, a request for extension will be considered if received within one month after the expiration date shown on the license. The Office of Export Control will not consider for approval any request for extension of the validity period of a license for an exportation to a Subgroup A destination, Poland (including Danzig), Yugoslavia, or Cuba, unless it is submitted prior to the expiration of the license. If a license does not qualify for extension under the terms set forth in this paragraph, a new application for export license shall be submitted in accordance with the procedure described in paragraph (d) of this section.

PART 382—DENIAL OF EXPORT PRIVILEGES

60. Section 382.17 *Publication of orders* is redesignated § 382.18 and a new § 382.17 is added to read as follows:

§ 382.17 Extension of time.

A respondent may, on good cause being shown, apply to the Compliance Commissioner for additional time within which to prepare and submit his answer to the charging letter or do any other act required by this part.

PART 384—GENERAL ORDERS

61. Section 384.4 *Disclosure of issuance of licenses* is revised to read as follows:

§ 384.4 Disclosure of license issuance and other information.

(a) *License issuance information.* Effective on July 5, 1961, by order of the Secretary, the Office of Export Control will make available daily, for each export license granted on the previous business day, (1) a general description of the commodity or technical data licensed for export, (2) the total value of the licensed commodity, and (3) the country of destination of the exportation.

(b) *Unshipped balance information.* Effective on June 1, 1962, the Office of Export Control will make available daily certain information with regard to unshipped balances remaining on expired, revoked, or cancelled licenses issued for Subgroup A destinations, Poland (including Danzig), Yugoslavia, or Cuba. This information will include a general description of the commodity, the value of the unshipped balance of the licensed commodity and the country of destination specified on the license.

(c) *No other information disclosed.* No other specific information regarding any validated export license will be made available to the public by the Office of Export Control, except with the approval of the Secretary of Commerce.

PART 385—EXPORTATION OF TECHNICAL DATA

62. Section 385.4(c)(2)(iii) is revised by deleting the words "or the Dominican Republic" and the words "or to the Dominican Republic" wherever they appear in that subdivision.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487; E.O. 11038, 27 F.R. 7003)

FORREST D. HOCKERSMITH,
Director,
Office of Export Control.

[F.R. Doc. 63-787; Filed, Jan. 24, 1963; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

[Docket C-295]

Chapter I—Federal Trade Commission

PART 13—PROHIBITED TRADE PRACTICES

Seidenbach's Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices:* § 13.155-15 Comparative. Subpart—Invoicing products falsely: § 13.1108 *Invoicing Products falsely:* § 13.1108-45 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845-30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* § 13.1852-35 Fur Products Labeling Act; § 13.1865 *Manufacture or preparation:* § 13.1865-40 Fur Products Labeling Act; § 13.1880 *Old, used, or reclaimed as unused or new:* § 13.1880-40 Fur Products Labeling Act; § 13.1900 *Source or origin:* § 13.1900-40 Fur Products Labeling Act: § 13.1900-40 (b) Place.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Seidenbach's Inc., et al., Tulsa, Okla., Docket C-295, Jan. 8, 1963]

In the Matter of Seidenbach's Inc., a Corporation, and J. L. Seidenbach and Clare Seidenbach, Individually and as Officers of Said Corporation

Consent order requiring a furrier in Tulsa, Okla., to cease violating the Fur Products Labeling Act by failing to show on labels and invoices the true animal name of fur, failing to show on labels when a product contained used fur, the name of the manufacturer, etc., and the country of origin of imported furs; failing to use the term "natural" in advertising in newspapers when fur was not artificially colored and to give a designated time of a bona fide compared price on window display cards which used comparative prices; failing to maintain adequate records as a basis for price and value claims; and failing in other respects to comply with requirements of the Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Seidenbach's Inc., a corporation, and its officers, and J. L. Seidenbach and Clare Seidenbach, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce or the transportation or distribution in commerce of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Setting forth on labels affixed to fur products information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations thereunder in handwriting.

C. Failing to disclose that fur products are "second-hand," when such is the fact.

D. Failing to set forth on labels the item number or mark assigned to a fur product.

E. Failing to set forth the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in the sequence required by Rule 30 of the aforesaid regulations.

2. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

B. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

3. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products; and which:

(a) Makes use of comparative prices of the fur product unless a bona fide compared price at a designated time is given.

(b) Misrepresents in any manner the savings available to purchasers of respondents' products.

(c) Fails to use the term "natural" to describe fur products which were not bleached, dyed or otherwise artificially colored.

4. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: January 8, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-834; Filed, Jan. 24, 1963; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

PART 121—FOOD ADDITIVES

O,O-Dimethyl S-4-Oxo-1,2,3-Benzotriazin-3(4H)-Ylmethyl Phosphorodithioate; Pesticide and Food Additive Residues

1. A petition was filed with the Food and Drug Administration by Chemagro Corporation, P.O. Box 4913, Kansas City 20, Mo., requesting the establishment of tolerances for residues of the insecti-

cide O,O-dimethyl S-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate in or on brussels sprouts, grapefruit, lemons, oranges, and tangerines at 2 parts per million. The petition was later amended to request tolerances of 2 parts per million on all citrus fruits and a tolerance of 0.1 part per million for residues in meat, fat, and meat byproducts of cattle, goats, and sheep.

Available evidence shows that residues on the citrus fruits will carry over and be concentrated in dried citrus pulp for livestock feed made from this raw agricultural commodity but that the feeding of such pulp to livestock will not result in residues in milk, and that residues in meat tissue will be less than 0.1 part per million.

An additional petition was filed by Chemagro Corporation requesting the establishment of tolerances for residues of this insecticide on green alfalfa and green clover at 1 part per million and on alfalfa hay and clover hay at 5 parts per million. This petition was later amended to increase from 1 part per million to 2 parts per million the tolerances requested for green alfalfa and green clover. Data in this petition showed that the tolerance of 0.1 part per million in meat, fat, and meat byproducts is adequate to cover residues from use in feeds of treated alfalfa and clover, green or hay, with or without dried citrus pulp from treated citrus. These data also show that the feeding to dairy animals of the combined feeds from citrus, alfalfa, and clover will not result in residues in milk and that there is no need for a tolerance in milk higher than zero.

The Secretary of Agriculture has certified that this insecticide is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petitions and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.154; 27 F.R. 6785) are amended by adding thereto tolerances for the subject insecticide on the aforementioned raw agricultural commodities. The tolerances "5 parts per million" and "2 parts per million" are changed as indicated below and new tolerance levels of "0.1 part per million" and "zero" are added to the section.

§ 120.154 Tolerances for residues of *O,O*-dimethyl *S*-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate.

* * * * *

5 parts per million in or on alfalfa hay, clover hay, grapes.

2 parts per million in or on alfalfa, apples, apricots, artichokes, blackberries, blueberries, boysenberries, broccoli, brussels sprouts, cabbage, cauliflower, cherries, citrus fruits, clover, crabapples, cranberries, loganberries, nectarines, onions, peaches, pears, plums (fresh prunes), quinces, raspberries, snap beans, spinach, strawberries, tomatoes.

* * * * *

0.1 part per million in the meat, fat, and meat byproducts of cattle, goats, and sheep.

Zero in milk.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

2. A petition was filed by Chemagro Corporation proposing the establishment of a tolerance of 5 parts per million for residues of the food additive *O,O*-dimethyl *S*-4-oxo-1,2,3,-benzotriazin-3 (4H)-ylmethyl phosphorodithioate in citrus peel and dried citrus pulp resulting from the carryover and concentration of residues in these feed items processed from citrus fruits. Citrus peel was later withdrawn from the petition.

The Commissioner of Food and Drugs, having evaluated the data submitted in the petition and other relevant material, has concluded that the following regulation should issue with respect to residues of the food additive *O,O*-dimethyl *S*-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate, present in dried citrus pulp. Such residues have been shown to occur from application of the insecticide to citrus fruits under agricultural uses provided for by a concurrent regulation under section 408 of the act. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart C a new section reading as follows:

§ 121.240 *O,O*-Dimethyl *S*-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate.

A tolerance of 5 parts per million is established for residues of the insecticide *O,O*-dimethyl *S*-4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl phosphorodithioate in dried citrus pulp for the feed of cattle, goats, and sheep. Such residue may be present therein only as a result of the application of the insecticide to the growing agricultural crop.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 409(c)(1), 68 Stat. 512; 72 Stat. 1786; 21 U.S.C. 346a(d)(2), 348(c)(1))

Dated: January 21, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-848; Filed, Jan. 24, 1963; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

BOILER WATER ADDITIVES

The Commissioner of Food and Drugs having evaluated data in a petition filed by Olin Mathieson Chemical Corporation, 1730 K Street NW., Washington 6, D.C., and other relevant material, has concluded that the food additive regulations with respect to boiler water additives should be amended as set forth below. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.1088(d) is amended by inserting in alphabetical order a new item as follows:

§ 121.1088 Boiler water additives.

* * * * *

(d) * * *

	Limitations
Hydrazine	Zero in steam.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: January 21, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-849; Filed, Jan. 24, 1963; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

DEFOAMING AGENTS

The Commissioner of Food and Drugs having evaluated the data submitted in a petition filed by E. F. Houghton and Company, 303 West Lehigh Avenue, Philadelphia 33, Pa., and other relevant material, has concluded that the following regulation should issue with respect to the named additives as components of defoamer formulations used in beet-sugar processing. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c)(1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), Part 121 is amended by adding to Subpart D the following new section:

§ 121.1099 Defoaming agents.

Defoaming agents may be safely used in food in accordance with the following conditions.

(a) Defoaming agents are used or intended for use in the processing of beet sugar.

(b) Defoaming agents are prepared from one or more of the substances identified in this paragraph.

(1) Substances generally recognized as safe in food or prior-sanctioned for the use prescribed by this section.

(2)

Substance	*Limitation*
Fatty acids	Conforming to § 121.1070.
Mineral oil	Conforming to specifications included in a regulation issued in Subpart D of the food additive regulations or in an order extending the effective date of the food additive amendments, for use of mineral oil as a direct additive to food.
Polyethylene glycol 400.	------------------------------

(c) Defoaming agents are added in amounts not in excess of that reasonably required to inhibit foaming.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: January 18, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-850; Filed, Jan. 24, 1963; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

METHYL ETHYL CELLULOSE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Imperial Chemical Industries, Nobel Division, Stevenston, Ayrshire, Scotland, and other relevant material, has concluded that the following regulation should issue with respect to the use of methyl ethyl cellulose in food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations are amended by adding to Subpart D a new section as follows:

§ 121.1112 Methyl ethyl cellulose.

The food additive methyl ethyl cellulose may be safely used in food as an aerating, emulsifying, and foaming agent when the amount used is not in excess of that reasonably required to produce its intended effect.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: January 21, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-851; Filed, Jan. 24, 1963; 8:49 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Administrator, Housing and Home Finance Agency

PART 3—SLUM CLEARANCE AND URBAN RENEWAL

Subpart B—Relocation Payments Under Section 106(f) of the Housing Act of 1949, as Amended

LIMITATIONS ON RELOCATION PAYMENTS

Correction

In F.R. Doc. 63-696, appearing at page 588 of the issue for Wednesday, January 23, 1963, the following correction is made in § 3.110(a): The phrase reading "shall note exceed $100" should read "shall not exceed $100".

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER D—PROCUREMENT, PROPERTY, PATENTS, AND CONTRACTS

PART 736—DISPOSITION OF PROPERTY

Sale of Personal Property

Scope and purpose. Section 736.3 is amended to indicate that the Defense Supply Agency, acting through Defense Surplus Sales Offices in the United States except Alaska and Hawaii, has been assigned overall responsibility for the sales program for Department of Defense surplus or exchangeable personal property, excluding contractor inventory to be sold at private plants.

1. Paragraphs (a) and (b) of § 736.3 are revised to read as follows:

§ 736.3 Sale of personal property.

(a) The sale of personal property determined to be surplus or foreign excess or for exchange purposes is authorized by the Federal Property Act and regulations of the Administrator of General Services (see § 736.1(a)). Certain vessels stricken from the Naval Vessel Register may be sold under the act of August 10, 1956 (70A Stat. 451, 10 U.S.C. 7305). Sales generally will be under competitive bid procedures but, in exceptional circumstances, negotiated and other special-type sales are authorized. Only those activities designated by the Department of Defense, the Office of Naval Material or delegated authority may conduct sales of surplus personal property. Such designated activities will effect the orderly and expeditious disposal by sale of Department of Defense surplus property within assigned geographical areas or for an assigned specialized category of surplus personal property. In the United States except Alaska and Hawaii, surplus personal property other than contractor inventory of the Department of Defense is now sold through Defense Surplus Sales Offices (DSSO's). The following is a list of the DSSO's and authorizen naval selling activities:

DSSO's Serving Geographical Areas

Defense Surplus Sales Office, Pier 91, Seattle 99, Wash.
Defense Surplus Sales Office, U.S. Naval Supply Center, Oakland, Calif.
Defense Surplus Sales Office, Sacramento Air Materiel Area, McClellan Air Force Base, Calif.
Defense Surplus Sales Office, Sharpe General Depot, U.S. Army, Lathrop, Calif.
Defense Surplus Sales Office, U.S. Naval Supply Center, San Diego, Calif.
Defense Surplus Sales Office, San Bernardino Air Materiel Area, Norton Air Force Base, Calif.
Defense Surplus Sales Office, Marine Corps Supply Center, Barstow, Calif.
Defense Surplus Sales Office, Davis-Monthan Air Force Base, Tucson, Ariz.
Defense Surplus Sales Office, Pueblo Ordnance Depot, Pueblo, Colo.
Defense Surplus Sales Office, Fort Bliss, Tex.
Defense Surplus Sales Office, San Antonio Air Materiel Area, Kelly Air Force Base, Tex.
Defense Surplus Sales Office, Fort Worth General Depot, U.S. Army, Fort Worth, Tex.
Defense Surplus Sales Office, Oklahoma City Air Materiel Area, Tinker Air Force Base, Okla.
Defense Surplus Sales Office, Fort Leavenworth, Kans.
Defense Surplus Sales Office, General Depot, U.S. Army, Odgen, Utah.
Defense Surplus Sales Office, Rock Island Arsenal, Rock Island, Ill.
Defense Surplus Sales Office, Granite City Engineer Depot, Granite City, Ill.
Defense Surplus Sales Office, Memphis General Depot, U.S. Army, Memphis, Tenn.
Defense Surplus Sales Office, Mobile Air Materiel Area, Brookley Air Force Base, Ala.
Defense Surplus Sales Office, U.S. Naval Air Station, Jacksonville, Fla.
Defense Surplus Sales Office, Marine Corps Supply Center, Albany, Ga.
Defense Surplus Sales Office, Atlanta General Depot, U.S. Army, Forest Park, Ga.
Defense Surplus Sales Office, U.S. Naval Supply Center, Norfolk, Va.
Defense Surplus Sales Office, Lexington Signal Depot, Lexington, Ky.
Defense Surplus Sales Office, Fort Holabird, Baltimore, Md.
Defense Surplus Sales Office, Dayton Air Force Depot, Dayton, Ohio.
Defense Surplus Sales Office, Columbus General Depot, U.S. Army, Columbus, Ohio.
Defense Surplus Sales Office, Philadelphia Naval Shipyard, Philadelphia, Pa.
Defense Surplus Sales Office, Fort Dix, N.J.
Defense Surplus Sales Office, Middletown Air Materiel Area, Marietta, Pa.
Defense Surplus Sales Office, Letterkenny Ordnance Depot, Chambersburg, Pa.
Defense Surplus Sales Office, Schenectady General Depot, U.S. Army, Schenectady, N.Y.
Defense Surplus Sales Office, U.S. Naval Supply Depot, Newport, R.I.

Defense Surplus Sales Offices

SELLING CERTAIN CATEGORIES OF NAVAL SURPLUS PROPERTY

Defense Surplus Sales Office, U.S. Naval Supply Center, San Diego, Calif. (naval aircraft and aircraft engines).
Defense Surplus Sales Office, Third Avenue and 29th Street, Brooklyn, N.Y. (naval vessels).

Naval Selling Activities

U.S. Naval Station, Kodiak, Alaska.
U.S. Naval Supply Center, Pearl Harbor, Hawaii.
U.S. Naval Station, San Juan, Puerto Rico.
U.S. Naval Supply Depot, Subic Bay, Luzon, Republic of the Philippines.
U.S. Naval Station, Sangley Point, Luzon, Republic of the Philippines.
U.S. Naval Supply Depot, Guam, Mariana Islands.
U.S. Naval Supply Depot, Yokosuka, Japan.
U.S. Naval Station, Rodman, Canal Zone.
U.S. Naval Supply Depot, Guantanamo Bay, Cuba.
U.S. Naval Station, Trinidad, British West Indies.
U.S. Naval Station, Bermuda, British West Indies.
U.S. Naval Station, Argentia, Newfoundland.
U.S. Naval Station, Keflavik, Iceland.
U.S. Naval Station, Rota, Spain.
U.S. Naval Support Activity, Naples, Italy.
U.S. Naval Air Station, Port Lyautey, Kenitra, Morocco.

Naval Activities Authorized to Sell Contractor

INVENTORY AT PRIVATE PLANTS

(Office and Area)

Inspector of Naval Material Atlanta, 50 Seventh Street NE., Atlanta 5, Ga.—6th Naval District.
Inspector of Naval Material Boston, 495 Summer Street, Boston 10, Mass.—1st Naval District; also Connecticut.
Inspector of Naval Material Chicago, 536 South Clark Street, Chicago 5, Ill.—Ohio and Kentucky and 9th Naval District except Colorado and Wyoming.
Inspector of Naval Material Dallas, 708 Jackson Street, Dallas 2, Tex.—8th Naval District except New Mexico.
Inspector of Naval Material Los Angeles, 929 South Broadway Street, Los Angeles 15, Calif.—11th Naval District and New Mexico.
Inspector of Naval Material New York, 207 West 24th Street, New York 11, N.Y.—State of New York and that part of New Jersey in the 3d Naval District.
Inspector of Naval Material Philadelphia, 17 Brief Avenue, Upper Darby, Pa.—4th and 5th Naval Districts except for Ohio and Kentucky.
Inspector of Naval Material San Francisco, Building 178, Treasure Island, San Francisco 30, Calif.—12th and 13th Naval Districts, and Colorado and Wyoming.
Chief of Naval Research, Navy Department, Washington 25, D.C.

(b) Sales by the activities listed in paragraph (a) of this section are by sealed bid, auction, spot bid or, under limited conditions prescribed by law, negotiated method. A deposit, generally 20 percent of the amount bid, is normally required of each bidder. Awards are usually made to the highest acceptable bidder. Normally property may not be removed from Government control until full payment is made. Arrangements must be made by the successful bidder to remove the property within the time limit prescribed in the invitation to bid or sales contract. The Government reserves the right to withdraw any property from sale when in the best interests of the Government.

(1) The Department of Defense has a contact point for any person interested in purchasing surplus property from military installations within the United States except Alaska and Hawaii. The contact point is the Defense Surplus Bidders Control Branch, Defense Logistics Services Center, Federal Center Building, Battle Creek, Michigan. This office maintains a single bidders list for all military departments. The list is arranged to show each person's buying interests, both geographically and with respect to categories of property. The categories of property (together with an application blank) are listed in a pamphlet "How To Buy Surplus Personal Property From the Defense Supply Agency, Army, Navy, Air Force and Marine Corps", prepared by the Defense Logistics Services Center, Defense Supply Agency, Battle Creek, Michigan.

(2) Retail sales at fixed prices based on the current market value are conducted at certain military installations.

* * * * *

(R.S. 161, 63 Stat. 378, sec. 5031, 70A Stat. 278, 451, sec. 125, 76 Stat. 515, as amended; 5 U.S.C. 22, 10 U.S.C. 125, 5031, 7305, 40 U.S.C. 471–514)

By direction of the Secretary of the Navy.

[SEAL] W. C. Mott,
Rear Admiral, U.S. Navy, Judge Advocate General of the Navy.

January 18, 1963.

[F.R. Doc. 63–822; Filed, Jan. 24, 1963; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

SUBCHAPTER T—SALE, LEASE, OR USE, AND ACQUISITIONS

[Circular 2094]

PART 257—SALE OR LEASE OF SMALL TRACTS

Applications

On page 11007 of the Federal Register of November 10, 1962, there was published a notice and text of a proposed amendment of Part 257 of 43 CFR, Chapter I. The purpose of the amendment is to permit acceptance of small tract applications only for lands opened to such application, to insure consistency between the small-tract program and county planning and zoning, to discourage unethical promotion of small tract applications and for other purposes in the public interest.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. Comments received have been considered carefully. They do not appear to warrant any change in the proposal.

The proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

JANUARY 18, 1963.

1. Section 257.5 is amended to read as follows:

§ 257.5 Preference rights of applicants.

Where public land is classified pursuant to a validly filed application on Form 4-776, accepted for unclassified lands open to application under the regulations of this part (see subparagraph (4) of paragraph (e) of § 257.6), the applicant is entitled to a preference right of lease or purchase, as the case may be, if (a) the land is thereafter classified for the type of site applied for; (b) the applicant agrees to conform his application to the area, classification, and dimensions of the tract as specified in the classification order; and (c) where the land is classified for direct sale, the applicant tenders the fair market value of the land when required.

2. Subparagraph (4) of paragraph (e) of § 257.6 is amended to read as follows:

§ 257.6 Application; general procedure.

* * * * *

(4) The lands applied for are not open to application pursuant to a notice published in the FEDERAL REGISTER.

[F.R. Doc. 63-836; Filed, Jan. 24, 1963; 8:47 a.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2863]

[Sacramento 067445]

CALIFORNIA

Restoration Under Section 24, Federal Power Act; Power Site Reserve No. 232

1. In No. DA-1005-California, the Federal Power Commission determined that the value of the following-described land withdrawn in Power Site Reserve No. 232 will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C., 818), as amended:

MOUNT DIABLO MERIDIAN

T. 33 N., R. 10 W.
Sec. 35, NW¼NW¼.

The area described contains approximately 40 acres.

2. The land lies on a south facing slope adjacent to the Trinity River in California. The terrain is rough and mountainous.

3. Until 10:00 a.m. on July 19, 1963, the State of California shall have (1) a preferred right of application to select the land in accordance with subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to it or to any of its political subdivisions, under any statute or regulation applicable thereto, or any of the land required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, in accordance with the provisions of section 24 of the Federal Power Act, supra.

4. This order shall not otherwise be effective to change the status of the land until 10:00 a.m. on July 19, 1963. At that time the land shall be open to the operation of the public land laws generally subject to valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals.

5. The land has been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

6. Any disposals of the land described in this order shall be subject to the provisions of section 24 of the Federal Power Act, supra, as specified by the Federal Power Commission in its determination.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 18, 1963.

[F.R. Doc. 63-818; Filed, Jan. 24, 1963; 8:45 a.m.]

[Public Land Order 2877]

[Los Angeles 0166513]

CALIFORNIA

Partial Revocation of Executive Orders of February 26, 1852 and No. 2328 of February 25, 1916

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The Executive Order of February 26, 1852, withdrawing land for military purposes for use of the War Department, and Executive Order No. 2328 of February 25, 1916, transferring jurisdiction of a portion thereof to the Department of Navy for naval purposes are hereby revoked so far as they affect the following-described land:

SAN BERNARDINO MERIDIAN

T. 17 S., R. 4 W.,
Tract 38.

Containing approximately 43 acres.

Title to the land has been conveyed to the City of San Diego, California under provisions of the Act of June 14, 1926 (44 Stat. 741), as amended by the Act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869).

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 18, 1963.

[F.R. Doc. 63-819; Filed, Jan. 24, 1963; 8:45 a.m.]

[Public Land Order 2886]

[Los Angeles 0167440]

CALIFORNIA

Revocation of Public Land Order No. 1606 of March 26, 1958

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 1606 of March 26, 1958, which withdrew the following-described lands for use of the Department of the Air Force for military purposes is hereby revoked:

SAN BERNARDINO MERIDIAN

T. 3 S., R. 3 E.,
Sec. 2, SW¼.

Containing 160 acres.

2. The lands are located in Riverside County. The area is sharply broken by steep valleys, and granitic outcroppings.

3. Until 10:00 a.m. on July 19, 1963, the State of California shall have a preferred right of application to select the lands as provided by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). On and after that date and hour the lands shall become subject to application, petition, location and selection generally, including locations under the United States mining laws and applications and offers under the mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications except preference right applications from the State, received at or prior to 10:00 a.m. on July 19, 1963, shall be considered as simultaneously filed at that time.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Riverside, Calif.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 18, 1963.

[F.R. Doc. 63-820; Filed, Jan. 24, 1963; 8:45 a.m.]

[Public Land Order 2888]

[Sacramento 057740]

CALIFORNIA

Revocation of Public Land Order No. 557 of February 8, 1949

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 557 of February 8, 1949, which withdrew the following-described public land in California for use of the Forest Service, Department of Agriculture as a site for a radio relay station, is hereby revoked:

MOUNT DIABLO MERIDIAN

TELEGRAPH HILL ADMINISTRATIVE SITE

T. 2 N., R. 15 E.,
Sec. 17, SE¼NE¼NW¼.

Containing approximately ten acres.

Subject to any existing valid rights and the requirements of applicable law, the public lands are hereby opened to filing of applications, selections and locations in accordance with the following:

a. Until 10:00 a.m. on July 19, 1963, the State of California shall have a preferred right of application to select the lands as provided by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 852).

b. All other valid applications and selections under the nonmineral public land laws presented at or prior to 10:00 a.m. on July 19, 1963, will be considered as simultaneously filed at that hour. Rights under such applications, and selections filed after that hour will be governed by the time of filing.

Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

c. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a.m. on July 19, 1963.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 18, 1963.

[F.R. Doc. 63-821; Filed, Jan. 24, 1963; 8:45 a.m.]

[Public Land Order 2885]

NEW MEXICO

Revocation of Executive Order No. 1677 of January 8, 1913, Withdrawing Lands for Reclamation Purposes

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, and by virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for use of the Bureau of Reclamation for reclamation purposes in connection with the Malaga Bend Unit, McMillan Project, Pecos River Basin:

[New Mexico 0263503]

NEW MEXICO PRINCIPAL MERIDIAN

T. 24 S., R. 29 E.,
Sec. 20, SW¼, W½W½SE¼, SE¼SW¼SE¼;
Sec. 29, N½N½NW¼, N½NW¼NE¼.

The areas described aggregate 270 acres.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources other than under the mining and mineral leasing laws.

3. Executive Order No. 1677 of January 8, 1913, which withdrew the following described public land for use by the Forest Service, Department of Agriculture, as the Gallinas Administrative Site, is hereby revoked:

[New Mexico 0263504]

NEW MEXICO PRINCIPAL MERIDIAN

T. 2 S., R. 12 E.,
Sec. 11, E½NW¼, W½NE¼.

The areas described aggregate approximately 160 acres.

4. Until 10:00 a.m. on July 19, 1963, the State of New Mexico shall have a preferred right of application to select the lands released from withdrawal by paragraph 3, hereof, as provided by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). On and after that date and hour the lands shall become subject to application, petition, location and selection generally, including locations for nonmetalliferous minerals, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications except preference right applications from the State, received at or prior to 10:00 a.m. on February 23, 1963, shall be considered as simultaneously filed at that time. The lands have been open to applications and offers under the mineral leasing laws, and to location for metalliferous minerals.

Inquiries shall be addressed to the Manager, Land Office, Bureau of Land Management, Santa Fe, New Mexico.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 18, 1963.

[F.R. Doc. 63-837; Filed, Jan. 24, 1963; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER C—CARRIERS BY WATER

PART 301—REPORTS

Form Prescribed for Maritime Carriers

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 15th day of January A.D. 1963:

The matter of annual reports of maritime carriers being under further consideration, and the changes to be made by this order being minor changes in the data to be furnished, rulemaking procedures under section 4 of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That § 301.20 of the order of January 17, 1961, in the matter of Annual Report Form M (Maritime Carriers), be, and it is hereby, modified and amended, with respect to annual reports for the year ended December 31, 1962, and subsequent years, to read as shown below.

It is further ordered, That 49 CFR 301.20, be, and it is hereby, modified and amended to read as follows:

§ 301.20 Form prescribed for maritime carriers.

Commencing with the year ended December 31, 1962, and for subsequent years thereafter, until further order, all maritime carriers subject to section 313, Part III, of the Interstate Commerce Act, are required to file annual reports in accordance with Annual Report Form M (Maritime Carriers), which is attached to and made a part of this section.[1] Such annual report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before March 31 of the year following the year to which it relates.

(Sec. 304, 54 Stat. 933; 49 U.S.C. 904. Interpret or apply sec. 313, 54 Stat. 944, as amended; 49 U.S.C. 913)

And it is further ordered, That copies of this order and of Annual Report Form M shall be served on all maritime carriers subject to its provisions, and upon every receiver, trustee, executor, administrator, or assignee of any such maritime carrier, and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 63-829; Filed, Jan. 24, 1963; 8:46 a.m.]

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[1] Form filed as part of the original document.

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Meals and Lodging Furnished for Convenience of Employer; Notice of Hearing on Proposed Regulations

Proposed amendments to the regulations issued under section 119 of the Code, relating to meals and lodging furnished for the convenience of the employer, were published in the FEDERAL REGISTER for December 28, 1962.

A public hearing on these proposed amendments to the regulations will be held on Monday, February 25, 1963, at 10:00 a.m., e.s.t., in Conference Room B, Departmental Auditorium, Constitution Avenue between 12th and 14th Streets NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., by February 20, 1963.

[SEAL] MAURICE LEWIS,
Director, Technical Planning Division, Internal Revenue Service.

[F.R. Doc. 63-892; Filed, Jan. 24, 1963; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 33]

SPORT FISHING IN NEW YORK, NEW JERSEY, AND VERMONT

Proposed Additions to List of Open Areas

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), it is proposed to amend 50 CFR 33.4 by the addition of the Brigantine National Wildlife Refuge, New Jersey, Missisquoi National Wildlife Refuge, Vermont, and Montezuma National Wildlife Refuge, New York to the list of wildlife refuge areas open to public sport fishing as legislatively permitted.

It has been determined that opportunities for fresh water fishing within the Missisquoi and Montezuma National Wildlife Refuges and salt water fishing within the Brigantine National Wildlife Refuge can be made available without detriment to the objectives for which these refuges were established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 33.4 would be amended by the addition of the following areas as those where sport fishing is authorized.

§ 33.4 List of open areas; sport fishing.

* * * * *

NEW JERSEY

Brigantine National Wildlife Refuge.

* * * * *

NEW YORK

Montezuma National Wildlife Refuge.

* * * * *

VERMONT

Missisquoi National Wildlife Refuge.

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

JANUARY 21, 1963.

[F.R. Doc. 63-817; Filed, Jan. 24, 1963; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 31]

WOOL AND WOOL TOP STANDARDS

Proposed Official Standards of the United States for Grades of Wool; Methods for Determining Grade of Wool; Distribution of Samples Representative of Official Wool and Wool Top Grade Standards of the United States; Fiber Diameter Uniformity Guide

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that pursuant to authority conferred by the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621, et seq.), it is proposed to revise the official standards of the United States for grades of wool (7 CFR 31.1 to 31.12) and the provisions governing methods for determining the grade of wool and distribution of practical forms of wool and wool top grade standards (7 CFR 31.51, 31.201, 31.202, 31.203 and 31.204), and to make incidental editorial changes in the provisions for determining conformity of wool top (7 CFR 31.151), and to issue a fiber diameter uniformity guide.

Statement of considerations. Present standards are composed of physical samples of wool for each grade in the custody of the United States Department of Agriculture that were promulgated in 1926. Changes in wool marketing and importing practices have limited the use of these standards for determining the grade of wool. Improvements in sampling and measuring procedures for determining average fiber diameter in wool have led to the increased use of these procedures as aids in marketing wool.

Experience also has shown that the most appropriate objective criterion for specifying grades of wool is the average fiber diameter. Therefore, the proposed standards and their specifications are founded on this measurable quality of wool, i.e., fiber fineness or average fiber diameter.

The proposed fiber diameter specifications for the grades set forth in this part would provide a standard for interpreting fiber diameter measurements when grade is to be determined by measurement. The proposed changes have been under consideration for many months. Basic revisions were discussed with other interested Federal Government agencies and various wool growing, marketing, manufacturing, and trade groups. Careful consideration has been given to their comments and some of the suggestions made have been used in the proposed revision.

The proposed changes in the official wool standards would provide specifications in terms of average fiber diameter for the 12 grades, 80's through 36's inclusive, of the present standards (1926 series) now expressed by visually classified physical samples of wool for each grade. The changes also would provide for the addition of two new grades, the first between existing 64's and 60's grades to be designated as 62's, and the second between the existing 56's and 50's grades to be designated as 54's. Provision also would be made for wools finer than 80's and for wools coarser than 36's.

The proposed changes in the methods for determining the grade of wool would include detailed descriptions of the procedures used in the inspection method for determining grade of wools by visual comparison with samples representative of official standards, and descriptions of sampling and measuring procedures for determining grade by the measurement method.

The proposed revision of the provisions for distribution of samples (7 CFR 31.201 to 31.204) would change the procedure whereby the public may obtain certified samples of wool representing the wool and wool top grades, and specify the cost of these samples.

The Department proposed changes in the present standards for grades of wool (7 CFR Part 31) on March 29, 1955. Demonstration, discussion, and field testing of the standards, as then proposed, together with fineness measurement data of 1266 lots covering the entire range of grades have led to a modification of the 1955 proposal to the proposed specifications as set forth in this notice.

The named and similar wools provided for in par. 1101(a), sec. 1001. Tariff Act of 1930 (19 U.S.C. 1001, par. 1101(a)) will not be subject to grading under these standards for purposes of that Act.

Uniformity of fiber fineness is also a characteristic affecting the value of wool, and it has been found that the usefulness of the proposed standards can be enhanced by a measure indicating the degree of fiber diameter uniformity. Since the procedures for determining the grade of wool by measurement likewise provide information which can be used to express its fineness uniformity, a fiber diameter uniformity guide for optional use in conjunction with grade also is being proposed. This guide provides for five different degrees of fiber diameter uniformity for wool of each grade. These range from "exceptionally uniform" to "extremely variable."

The fiber diameter uniformity guide has been developed on the basis of studies of hundreds of lots of wool and is being proposed only for optional use with the grade standards.

A. It is proposed to delete the provisions for official standards of the United States for grades of wool (7 CFR 31.1–31.12) and substitute therefor the following:

Official Standards of the United States for Grades of Wool

§ 31.1 Finer than grade 80's.

The grade, finer than grade 80's, shall be wool with an average fiber diameter 17.69 microns or less.

§ 31.2 Grade 80's.

Wool with an average fiber diameter of 17.70 to 19.14 microns, inclusive.

§ 31.3 Grade 70's.

Wool with an average fiber diameter of 19.15 to 20.59 microns, inclusive.

§ 31.4 Grade 64's.

Wool with an average fiber diameter of 20.60 to 22.04 microns, inclusive.

§ 31.5 Grade 62's.

Wool with an average fiber diameter of 22.05 to 23.49 microns, inclusive.

§ 31.6 Grade 60's.

Wool with an average fiber diameter of 23.50 to 24.94 microns, inclusive.

§ 31.7 Grade 58's.

Wool with an average fiber diameter of 24.95 to 26.39 microns, inclusive.

§ 31.8 Grade 56's.

Wool with an average fiber diameter of 26.40 to 27.84 microns, inclusive.

§ 31.9 Grade 54's.

Wool with an average fiber diameter of 27.85 to 29.29 microns, inclusive.

§ 31.10 Grade 50's.

Wool with an average fiber diameter of 29.30 to 30.99 microns, inclusive.

§ 31.11 Grade 48's.

Wool with an average fiber diameter of 31.00 to 32.69 microns, inclusive.

§ 31.12 Grade 46's.

Wool with an average fiber diameter of 32.70 to 34.39 microns, inclusive.

§ 31.13 Grade 44's.

Wool with an average fiber diameter of 34.40 to 36.19 microns, inclusive.

§ 31.14 Grade 40's.

Wool with an average fiber diameter of 36.20 to 38.09 microns, inclusive.

§ 31.15 Grade 36's.

Wool with an average fiber diameter of 38.10 to 40.20 microns, inclusive.

§ 31.16 Coarser than grade 36's.

The grade, coarser than grade 36's, shall be wool with an average fiber diameter 40.21 microns or more.

B. It is proposed to renumber the provision in 7 CFR 31.151 on method for determination of conformity of wool top with the official grade standards and to make editorial changes in said provision so that it will read as set forth below in § 31.300. It is also proposed to delete the provisions (7 CFR 31.51 and 31.201–31.204) relating to the determination of grade of wool and distribution of practical forms of wool and wool top grade standards and to issue new §§ 31.200–31.204 and 31.400–31.402 as follows:

Definitions

§ 31.200 Meaning of words.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 31.201 Terms defined.

For the purposes of this part, unless the context otherwise requires, the following terms shall be construed respectively to mean:

(a) *Department.* The United States Department of Agriculture.

(b) *Agricultural Marketing Service.* The Agricultural Marketing Service of the Department.

(c) *Administrator.* The Administrator of the Agricultural Marketing Service, or any officer or employee of the Agricultural Marketing Service to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) *Division.* The Livestock Division of the Agricultural Marketing Service.

(e) *Director.* The Director of the Division, or any officer or employee of the Division to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(f) *Grade.* This term means a numerical designation of wool fineness based on average fiber diameter. It does not include characteristics such as length, crimp, strength, elasticity, luster, hand, and color, all of which affect the spinnability of a wool and the properties of the yarn and fabric and which are usually referred to as "quality." Neither does it apply to wool by geographic origin, breed of sheep, manner of preparation for market, or a combination of characteristics which makes wool appropriate for a specific use. These are usually referred to as "type."

(g) *Wool.* The fiber from the fleece of sheep.

(h) *Wool top.* A continuous untwisted strand of scoured wool fibers from which the shorter fibers or noils have been removed by combing.

(i) *Fineness.* This term refers to fiber diameter.

(j) *Average fiber diameter.* The sum of the individual fiber diameter measurements divided by the number of fibers measured, as described in § 31.204(a).

(k) *Micron.* A unit of linear measurement equal to $\frac{1}{1000}$ millimeter or $\frac{1}{25400}$ inch.

(l) *Grease wool.* Wool, as obtained from living sheep.

(m) *Scoured wool.* Wool from which the bulk of the impurities have been removed by washing in warm water, soap, and alkali or by an equivalent process.

(n) *Fleece.* The wool of one sheep obtained by shearing.

(o) *Skirted fleece.* A fleece from which the belly, britch, and stained portions have been removed.

(p) *Sorted wool.* Wool removed from various parts of fleeces and combined into different groups or sorts, each of which has closely similar fineness, length, and other qualities.

(q) *Pulled wool.* Wool obtained from the pelts of slaughtered sheep by pulling or similar means after subjecting the pelt to sweating, the use of a depilatory, or other auxiliary treatment to loosen the wool fibers from the skin.

(r) *Card sliver.* Wool that has been scoured and carded and formed into a continuous, untwisted strand of loosely assembled fibers.

(s) *Lot.* The entire quantity of wool or card sliver constituting the subject of consideration or test.

(t) *Sample.* A suitable amount of wool representing a lot.

(u) *Test specimen.* A representative portion of the sample obtained and prepared as described in § 31.204(a)(6).

(v) *Test.* A determination, by measurement, of the average fiber diameter of test specimens of wool, in accordance with the procedures provided in § 31.204.

(w) *Core sampling.* A method of coring a package of wool by means of special tools to obtain a representative sample of the wool according to the appropriate procedures described in § 31.204(a)(5).

(x) *Hand sampling.* A method of drawing by hand many small handfuls of wool to obtain a representative sample of the wool according to the appropriate procedures described in § 31.204(a)(5).

(y) *Major sort.* The largest part of a fleece, all portions of which have a similar degree of fineness.

(z) *Standards.* The official standards of the United States for grades of wool and wool top.

(aa) *Standard samples.* Physical samples representative of the standards.

Methods for Determining Grade of Wool

§ 31.202 General.

The official standards of the United States for grades of wool, as defined in §§ 31.1–31.16, shall be the basis of classification of wool by grade. Grade may be determined by inspection, usually by comparison of the fiber diameters of the wool being graded with the fiber diameters of samples representative of standards; or by measuring a prescribed number of fibers of a sample, calculating the average fiber diameter and comparing the average with the diameter specifications for grades of wool. The provisions in §§ 31.203–31.204 prescribe methods for making such determinations. Both methods for determining grade shall be official; however, if the grade as determined by inspection differs from that determined by measurement, the grade determined by measurement shall prevail.

§ 31.203 Inspection method.

Determination of the grade of wool by inspection frequently will be facilitated by comparing the average fiber fineness of a sample of wool representative of the lot with the average fiber fineness of valid standard wool samples representative of the official grades, in accordance with the procedure described in this section. A core sample is not satisfactory for determination of grade by the inspection method. When using the standard wool samples, the following procedures shall be followed:

(a) *Procedure for wools not in fleece form.* The fibers in the lot sample shall be compared with the fibers in the standard wool samples. The two standard samples between which the lot sample average fineness lies shall be determined. The grade of the lot shall be designated as the grade corresponding to the coarser of these two standard wool samples.

NOTE: The standard wool samples represent the maximum average fiber diameter for each grade.

(b) *Procedure for fleeces.* (1) For fleeces that have a major sort, the grade of the major sort shall be determined in accordance with the procedure specified in paragraph (a), and this shall be designated as the grade of the fleece.

(2) For fleeces that do not have a major sort, the grade of the entire fleece will be determined in accordance with the procedure specified in paragraph (a).

§ 31.204 Measurement method.

The determination of the grade of wool by measurement shall be by comparison of the measured average fiber diameter with the specifications of the United States standards. This determination shall be made in accordance with the procedure for determining average fiber diameter provided in (a) and the procedure for designating grade provided in (b) of this section.

(a) *Procedure for determining average fiber diameter*—(1) *Scope.* The procedure set forth in this section shall be used in the determination of the average fiber diameter of grease wool, scoured wool, pulled wool, or wool in the form of card sliver.

(2) *Principle of procedure.* The average fiber diameter is determined by sectioning the fibers in a specimen to a designated short length, mounting the sections on a slide, projecting the magnified image onto a scale, and measuring the diameter of a specified minimum number of the fibers, randomly selected, as specified in this section.

(3) *Apparatus and material.* The following apparatus and material are needed and shall comply with the following provisions:

(i) *Microprojector.* The microscope shall be equipped with a fixed body tube, a focusable stage responsive to coarse and fine adjustments, and a focusable substage with condenser and iris diaphragm. It shall be vertically installed with adequate light source, eyepiece, and objective to give a precise magnification of 500 × as determined by use of a stage micrometer. A magnification of 500 × can be obtained when the microscope is adjusted at a proper projection distance and equipped with a searchlight microprojector bulb, a 10 to 15 × eyepiece, and a 20 to 21 × objective of good quality with an aperture of approximately 0.50 centimeter.

(ii) *Stage micrometer.* Calibrated glass slide used for accurate setting and control of the magnification.

(iii) *Cross sectioning device, heavy duty.* An instrument approximately 2 inches in height, consisting essentially of a metal plate with slot for holding a quantity of fibers, a key for compressing the fibers, and a tongue-propelling arrangement by which the fiber bundle may be extruded for sectioning.

(iv) *Microscope slides.* 1'' x 3'' (25 x 75 mm).

(v) *Cover glasses.* No. 1 thickness, ⅞'' x 2'' (22 x 50 mm).

(vi) *Mounting medium.* Colorless mineral oil with a refractive index between 1.53 and 1.43, and of suitable viscosity.

(vii) *Wedge scales.* Strips of heavy paper or Bristol board, imprinted with a wedge for use at a magnification of 500 ×.

(4) *Calibration.* The microscope is adjusted to give a magnification of 500 × in the plane of the projected image. This may be accomplished by placing a stage micrometer on the stage of the microprojector and bringing the microscope into such adjustment that an interval of 0.20 mm on the stage micrometer will measure 100 mm when sharply focused in the center of the image plane.

(5) *Sampling.* The method of obtaining a sample representative of the fineness of a lot of grease wool, pulled wool, scoured wool, or card sliver will differ according to circumstances. Lots may be sampled either by coring or by hand. The sampling procedures advisable are as follows:

(i) *Core sampling.* Core sampling of packaged scoured, pulled, or grease wool is advisable whenever feasible. Acceptable procedures and schedules for core sampling raw wool are described in ASTM Standards on Textile Materials, Designation: 1060–58, "Standard Method of Core Sampling of Raw Wool Packages for Determination of Percentage of Clean Wool Fiber Present." [1] If a representative portion of the scoured wool core sample resulting from the test for clean wool fiber content is available, it may be used for average fiber diameter determination if the procedures described in ASTM Designation D584, "Standard Methods of Tests for Wool Content of Raw Wool," [1] are followed.

(ii) *Hand sampling an individual fleece.* A sample shall consist of approximately 30 grams of wool. For fleeces having a major sort, the sample shall be drawn at random from this part of the fleece. For fleeces not having a major sort, the sample shall be drawn at random from all parts of the fleece.

(iii) *Hand sampling lots of fleeces.* A sample shall consist of at least 3 pounds of wool. If the fleeces are packaged, the sample shall be drawn from at least 50 randomly selected fleeces from not less than 10 percent of randomly selected packages in the lot. If the fleeces are in piles, the sample shall be drawn from at least 50 fleeces selected from random locations throughout the pile. Each fleece shall be sampled in accordance with the provisions in subparagraph (ii).

(iv) *Hand sampling lots of scoured, pulled, and grease wool not in fleece form.* A sample shall consist of at least 3 pounds of wool. If the wool is packaged, the sample shall be drawn by taking a total of at least 50 handfuls of wool from not less than 10 percent of randomly selected packages in the lot. If the wool is in piles, the sample shall be drawn by taking from random locations throughout the pile at least 50 handfuls of wool.

(v) *Hand sampling card sliver.* Wool card sliver shall be sampled by drawing at random from the lot, preferably during the carding operation, ten 24-inch lengths of sliver.

(6) *Test specimens of grease wool, pulled wool, scoured wool, and card sliver.* The method of obtaining a test specimen representative of a sample drawn in accordance with the procedures of paragraph (5) will differ according to circumstances. The methods advisable are as follows:

(i) *Obtaining test specimen from core test residue.* The test specimen shall be obtained from one or more aliquot portions of the scoured wool remaining after core testing of a lot for clean fiber content by using the following procedure: The sample shall be divided into 40 portions of approximately equal size. From each portion, a sufficient quantity of fiber to provide a test specimen of 20 grams shall be drawn at random. These 40 portions shall be mixed or blended to form the test specimen. For best blending results, test specimens from samples obtained by means of 1¼ inch and larger coring tubes should be machine blended. However, samples drawn with smaller tubes should not be machine blended since loss of fiber may occur. The machine blending of test specimens may be accomplished by carding the specimen 3 times, breaking the web and feeding at right angles after the first and second passes; or by gilling the specimens 15 times, breaking and combining the pieces of sliver to maintain a convenient length.

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[1] Copies of D1060 and D584 may be purchased from the American Society for Testing and Materials, 1916 Race Street, Philadelphia 3, Pennsylvania.

(ii) *Obtaining test specimens from other samples (except card sliver).* Test specimens may be obtained by hand sampling or core sampling as described herein:

(*a*) *Hand sampling.* Samples shall be divided into 40 portions of approximately equal size. From each portion, a sufficient quantity of fiber to provide a test specimen of 20 grams shall be drawn at random. Test specimens of grease wool and pulled wool shall be scoured or otherwise cleaned. Clean specimens, except those from samples of wool with fibers less than 1¼ inches in length, shall be further homogenized, preferably by machine blending, following the procedures described in subdivision (i).

(*b*) *Core sampling.* The sample shall be compressed in a suitable container. By means of a ⅜ inch or a ½ inch coring tube with sharp tib, a sufficient number of cores shall be extracted to provide a test specimen of 20 grams of scoured wool. Test specimens of grease wool or pulled wool shall be scoured or otherwise cleaned.

NOTE: An example of a suitable container would be a box 12 inches by 10 inches by 6 inches deep, equipped with a floating top which has 16 randomly spaced holes ¾ inch in diameter over its area. The wool may be firmly compressed by applying pressure on the top. The top is held in place by two rods extending through holes in the side of the box and over the top. The coring tube is thrust through the holes in the top to sample the wool.

(iii) *Obtaining test specimens from card sliver samples.* Portions shall be stripped from each of the ten 24-inch pieces of sliver obtained in accordance with subparagraph (5)(v). These pieces shall be combined to form a composite sliver about 2 feet in length. This will constitute the test specimen.

(7) *Test condition.* Precondition all test specimens to approximate equilibrium in an atmosphere of 5 to 25 percent relative humidity at a temperature less than 122° F. (50° C.). Then condition them for at least 4 hours in the standard atmosphere for testing, 65 percent relative humidity ±2 percent at 70° F. ±2° F. (21° ±1.1° C.) in temperature.

(8) *Preparation of slides*—(i) *Filling cross section device.* For specimen in sliver form, the specimen shall be placed in the slot of the cross section device, far enough from either end of the sliver to assure sectioning at an undisturbed area. It shall be compacted firmly with the compression key, and the latter secured with the set screw. For specimen not in sliver form, from the bulk of the test specimen, small quantities of fibers shall be drawn at random, packing the slot to the required level. The specimen shall be compacted firmly with the compression key, and the latter secured with the set screw.

(ii) *Preliminary section.* The gripped fibers shall be cut off at the upper and lower surfaces of the plate. The fiber bundle shall be extruded to the extent of approximately 0.50 mm in order to take up slack in the fibers and the propulsion mechanism. The projecting fibers shall be moistened with a few drops of mineral oil. This projecting fiber bundle shall be cut off with a razor blade flush with the upper surface of the fiber holder plate, and the section discarded.

(iii) *Final section.* The fiber bundle shall again be extruded, approximately 0.25 mm. The fiber bundle shall be moistened with a few drops of mineral oil, blotting off the excess. The projecting fibers shall be cut off with a sharp razor blade flush with the holder plate. The fiber pieces should adhere to the razor blade.

(iv) *Mounting the fibers.* A few drops of mineral oil shall be placed on a clean glass slide. With a dissecting needle, the fiber pieces shall be scraped from the razor blade onto the slide. The fibers shall be thoroughly dispersed in the oil with the dissecting needle and the slide completed with a cover glass. Sufficient oil should be used in the preparation of the slide to insure thorough distribution of the fibers, but an excess must be avoided, as practically no oil should be permitted to flow out or be squeezed out beyond the borders of the cover glass. If the number of fibers is too great to permit proper distribution on the slide, or if an excess of oil has been used, a portion of the mixture, after thorough dispersion of the fibers, may be wiped away with a piece of tissue or cloth.

(v) *Finished slide.* The slide shall be placed on the stage of the microprojector, cover glass toward the objective. The measurement courses shall be planned across the slide so that the far, near, and intermediate areas will be reached. Slides should be measured the day they are prepared.

(9) *Measurement of fibers.* Starting at the upper left corner on the slide, the mid-length portion of the fiber to be measured shall be brought into sharp focus on the wedge scale. Fiber edges appear as fine lines without borders when they are uniformly in focus. It is unusual, however, for both edges of the fiber to be in focus at the same time. If both edges of the fiber are not uniformly in focus, adjustment shall be made so that one edge of the fiber is in focus and the other shows as a bright line. To record the measurment, it is necessary to mark the point where the wedge corresponds with the fiber image as determined by (i) the fine lines of both edges when they are uniformly in focus, or (ii) the fine line of one edge and the inner side of the bright line at the other edge when they are not uniformly in focus. The slide shall be traversed and successive fibers measured in the planned courses, measuring only those fibers whose midpoints come within the field—a circle 4 inches in diameter, centrally located in the projected area. Fibers shorter than 150 microns in length, and those having distorted images shall be excluded from measurement.

(10) *Nature of test.* A test shall comprise the measurement of the test specimen by two operators, each operator following independently the procedures of subparagraph (8).

(11) *Number of fibers.* The minimum number of fibers required for each test shall be the number for the respective grade as prescribed in the procedure for designating grade is § 31.204(b), each operator measuring approximately one-half the required number of fibers. The prescribed minimum number of fibers per test should result in confidence limits of the mean ranging from approximately ±0.4 to ±0.5 micron at a probability level of 95 percent, when wools of average uniformity in fiber fineness are measured.

(12) *Calculation and report.* The measurements of both operators shall be combined and the following calculations made by using the applicable formulae shown below:

(i) Total number of measurements (n)

(ii) The average diameter of fiber ($\bar{X}$); $\bar{X} = A + mE_1$

(iii) The standard deviation (σ); $\sigma = m\sqrt{E_2 - E_1^2}$

(iv) The coefficient of variation (v); $v = 100(\sigma) \div \bar{X}$

(v) The 95 percent confidence limits of $\bar{X} = \bar{X} \pm \frac{1.96}{\sqrt{(n)}}$

A figure more than two places beyond the decimal point shall be rounded off to the next higher number if it is "5" or above, or dropped if it is below "5".

In the formulae stated above:

A = Cell midpoint
m = Cell unit
$E_1 = \frac{\Sigma fx}{n}$
$E_2 = \frac{\Sigma fx^2}{n}$
Σ = Summation
f = Observed frequency
x = Deviation in cells from A

An example of the calculations is set forth below:

EXAMPLE OF CALCULATIONS: AVERAGE FIBER DIAMETER, STANDARD DEVIATION, COEFFICIENT OF VARIATION, AND CONFIDENCE LIMITS OF MEAN

Cell number	Cell boundary	Cell midpoint A	Deviation in cells from A x	Observed frequency f	fx	fx^2
5	10.0–12.5	11.25	0	1	0	0
6	12.5–15.0		1	12	12	12
7	15.0–17.5		2	53	106	212
8	17.5–20.0		3	113	339	1,017
9	20.0–22.5		4	132	528	2,112
10	22.5–25.0		5	141	705	3,525
11	25.0–27.5		6	111	666	3,996
12	27.5–30.0		7	79	553	3,871
13	30.0–32.5		8	63	504	4,032
14	32.5–35.0		9	44	396	3,564
15	35.0–37.5		10	28	280	2,800
16	37.5–40.0		11	7	77	847
17	40.0–42.5		12	6	72	864
18	42.5–45.0		13	5	65	845
19	45.0–47.5		14	3	42	588
20	47.5–50.0		15	0	0	0
21	50.0–52.5		16	2	32	512
Total				800	4,377	28,797

Number of measurements $(n)=800$
A (midpoint of cell No. 5) $=11.25$ microns
m (cell unit) $=2.5$ microns

$$E_1=\left(\frac{\Sigma fx}{n}\right)=\frac{4377}{800}=5.47 \text{ and } E_2=\left(\frac{\Sigma fx^2}{n}\right)=\frac{28{,}797}{800}=36.00$$

Average diameter, $\overline{X}=A+mE_1=11.25+2.5(5.47)=24.93$ microns

Standard deviation, $\sigma=m\sqrt{E_2-E_1^2}=2.5\sqrt{36.00-29.92}=2.5(2.47)=6.18$ microns

Coefficient of variation, $v=100(\sigma)\div\overline{X}=100(6.18)\div24.93=24.79$ percent

95 percent confidence limits of mean $=\overline{X}\pm\frac{1.96}{\sqrt{n}}=24.50$ to 25.36 microns

(b) *Procedure for designating grade.* For grade determination by measurement, the minimum number of fibers to be measured per test based on the average fiber diameter limits of the various grades are set forth below.

MEASUREMENT SCHEDULE FOR DESIGNATING GRADES OF WOOL

Grade	Minimum number of fiber diameter measurements	Limits for average fiber diameter
		Microns
Finer than grade 80's	400	Under 17.70
80's	400	17.70–19.14
70's	400	19.15–20.59
64's	600	20.60–22.04
62's	800	22.05–23.49
60's	800	23.50–24.94
58's	1,000	24.95–26.39
56's	1,200	26.40–27.84
54's	1,400	27.85–29.29
50's	1,600	29.30–30.99
48's	1,800	31.00–32.69
46's	2,000	32.70–34.39
44's	2,200	34.40–36.19
40's	2,400	36.20–38.09
36's	2,600	38.10–40.20
Coarser than grade 36's	2,600	Over 40.20

NOTE: In calculations of average fiber diameter, a figure more than two places beyond the decimal point shall be rounded off to the next higher number if it is "5" or above, or dropped if it is below "5".

(1) *Grade designation.* That grade shall be assigned to a sample of wool which corresponds, in the measurement schedule for designating grades of wool, to the measured average fiber diameter, provided this is determined in accordance with the procedure for determining fiber diameter set forth in § 31.204(a). Example: Measured average fiber diameter equals 27.60 microns; number of fiber diameter measurements equals 1200; grade designation equals 56's.

(2) *Interpretation.* Since all the wool in a lot may not be of the same grade, the grade determined by measurement represents only the average grade of the entire lot. It should not be construed to represent the grade of any component part of the lot selected on a nonrandom basis.

METHODS FOR DETERMINING GRADE OF WOOL TOP

§ 31.300 Determination of grade.

The determination of grade of wool top shall be made in accordance with methods prescribed by the Administrator of the Agricultural Marketing Service, copies of which may be obtained from the Administrator on request.

SAMPLES REPRESENTATIVE OF OFFICIAL GRADE STANDARDS OF THE UNITED STATES FOR WOOL AND WOOL TOP

§ 31.400 Standard samples for wool and wool top grades; method of obtaining.

Samples certified as representative of the official standards of the United States for grades of wool and wool top will be furnished as follows, subject to other conditions of this section, upon filing of an approved application and prepayment of costs thereof as fixed in § 31.401 and § 31.402. The certification will be issued under the seal of the United States Department of Agriculture and will be signed by the Director of the Livestock Division or other official duly authorized by him.

(a) Samples representing the maximum average fiber diameter for each of the standard grades of wool:

(1) Complete set: Grades 80's through 36's. Fourteen samples, each of approximately ⅛ pound grease wool, or

(2) Demonstrator sample: Individual samples of approximately ⅛ pound of grease wool.

(b) Samples representative of each of the standard grades of wool top:

(1) Complete set: Grades 80's through 36's. Fourteen samples mounted on four boards, or

(2) Demonstrator sample: Individual samples of approximately 3 ounces of wool top, representing a standard grade.

(c) Each application for standard samples of wool or wool top shall be upon an application form furnished or approved by the Agricultural Marketing Service, shall be signed by the applicant, and shall be accompanied by certified check, draft, post office money order, or express money order, payable to the "Agricultural Marketing Service," in an amount to cover the cost of the samples requested, and shall incorporate the following agreement:

(1) That no samples representative of the official wool or wool top standards shall be considered or used as representing such standards after cancellation in accordance with this section.

(2) That the said standard samples shall be subject to inspection by the Secretary or by any duly authorized officer or agent of the Department of Agriculture during usual business hours of the person having custody of the samples.

(3) That the certificate covering any of the samples representative of the standards may be revoked and cancelled by the Director of the Livestock Division if it is found upon such inspection that the said samples are not representative of the official standards.

§ 31.401 Cost of standard samples for wool grades.

(a) Complete set: $22 each, delivered to any destination within the United States and $24 each, delivered to any destination outside the United States.

(b) Demonstrator sample: $2 each, delivered to any destination within the United States and $2.50 each, delivered to any destination outside the United States.

§ 31.402 Cost of standard samples for wool top grades.

(a) Complete set: $42 each, delivered to any destination within the United States and $44 each, delivered to any destination outside the United States.

(b) Demonstrator sample: $3 each, delivered to any destination within the United States and $3.50 each, delivered to any destination outside the United States.

C. It is further proposed to promulgate, for optional use in conjunction with the grade standards, a fiber diameter uniformity guide to appear in 7 CFR §§ 31.500–31.501 as follows:

FIBER DIAMETER UNIFORMITY GUIDE

§ 31.500 Explanatory statement.

The procedure described in § 31.204(a) for determining average fiber diameter also provides information from which a measure of the variation in the diameters of the fibers measured can be determined. This variation may be expressed in various ways. However, for the purpose of the guide in § 31.501, the coefficient of variation is used and five degrees of uniformity are provided for each of the 16 grades. The range in diameter among the fibers usually is greater in coarse wool than it is in fine wool. This is reflected in the uniformity guide. The degree of fiber diameter uniformity is designated by means of symbols. An example of the optional use of these symbols in conjunction with grade designation is as follows: Example: Measured average fiber diameter equals 27.60 microns; coefficient of variation in fiber diameter equals 25.10 percent; grade designation equals 56's "AU" or average uniformity.

§31.501 **Fiber diameter uniformity guide.**

Grade	Limits for average fiber diameter	Uniformity levels based on coefficient of variation in fiber diameter				
		"EU" Exceptionally uniform	"VU" Very uniform	"AU" Average uniformity	"RV" Rather variable	"EV" Extremely variable
	Microns	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Finer than grade 80's	Under 17.70	15.3 and under	15.4–17.9	18.0–21.0	21.1–23.6	23.7 and over.
80's	17.70–19.14	15.3 and under	15.4–17.9	18.0–21.0	21.1–23.6	23.7 and over.
70's	19.15–20.59	16.3 and under	16.4–18.9	19.0–22.0	22.1–24.6	24.7 and over.
64's	20.60–22.04	17.3 and under	17.4–19.9	20.0–23.0	23.1–25.6	25.7 and over.
62's	22.05–23.49	18.8 and under	18.9–21.4	21.5–24.5	24.6–27.1	27.2 and over.
60's	23.50–24.94	19.8 and under	19.9–22.4	22.5–25.5	25.6–28.1	28.2 and over.
58's	24.95–26.39	20.8 and under	20.9–23.4	23.5–26.5	26.6–29.1	29.2 and over.
56's	26.40–27.84	21.3 and under	21.4–23.9	24.0–27.0	27.1–29.6	29.7 and over.
54's	27.85–29.29	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.
50's	29.30–30.99	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.
48's	31.00–32.69	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.
46's	32.70–34.39	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.
44's	34.40–36.19	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.
40's	36.20–38.09	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.
36's	38.10–40.20	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.
Coarser than grade 36's	Over 40.20	21.8 and under	21.9–24.4	24.5–27.5	27.6–30.1	30.2 and over.

Any person who desires to submit written data, views, or arguments concerning the proposals set forth above may do so by filing them with the Director of the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 120 days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 17th day of January 1963.

G. R. GRANGE,
Administrator,
Agricultural Marketing Service.

[F.R. Doc. 63–668; Filed, Jan. 24, 1963; 8:45 a.m.]

Agricultural Research Service

[9 CFR Part 131]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Monthly Reports of Sales; Notice of Proposed Rule Making

Notice is hereby given that the Control Agency is considering the issuance, as hereinafter proposed, of an amendment to the rules and regulations of the Control Agency, issued pursuant to the authority contained in Public Law 320, 74th Congress, approved August 24, 1935, as amended (49 Stat. 781, 72 Stat. 454; 7 U.S.C. 851–855) and the order regulating the handling of anti-hog-cholera serum and hog-cholera virus (9 CFR Part 131).

All persons who desire to submit data, views, or arguments in connection with the proposed amendment should file the same in quadruplicate with the Executive Secretary of the Control Agency, 714 Veterans of Foreign Wars Building, Kansas City 11, Mo., not later than 30 days after the publication of this notice in the FEDERAL REGISTER.

The proposed amendment is as follows:

(1) Amend § 131.261 of the rules and regulations by redesignating its present text as paragraph (a) and adding the following paragraphs thereto:

(b) Before the close of each calendar month, each producer shall submit a written report to the Director of Animal Inspection and Quarantine Division, U.S. Department of Agriculture, Washington, D.C., showing the total number of doses of inactivated hog cholera vaccine and the total number of doses of modified live virus hog cholera vaccine sold by such producer during the preceding calendar month to wholesalers, dealers and consumers in each state in the United States and in foreign commerce.

(c) Before the close of each calendar month, each wholesaler handler making sales in more than one state or in foreign commerce shall submit a written report to the Director of Animal Inspection and Quarantine Division, U.S. Department of Agriculture, Washington, D.C., showing the total number of doses of inactivated hog cholera vaccine and the total number of doses of modified live virus hog cholera vaccine sold by such wholesaler handler during the preceding calendar month to dealers and consumers in each state in the United States and in foreign commerce.

Dated this 14th day of January 1963.

CONTROL AGENCY,
E. A. CAHILL, Jr.,
Chairman.

[F.R. Doc. 63–843; Filed, Jan. 24, 1963; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 1014) has been filed by American Cyanamid Company, Berdan Avenue, Wayne, N.J., proposing the issuance of a regulation to provide for the safe use of 2,2'-methylenebis(4-ethyl-6-*tert*-butylphenol) as an antioxidant in the manufacture of rubber articles intended for repeated or continued use in contact with food.

Dated: January 18, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63–844; Filed, Jan. 24, 1963; 8:48 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 854) has been filed by Dexter Chemical Corporation, 845 Edgewater Road, New York 59, N.Y., proposing the amendment of paragraph (d)(3) of § 121.2519 *Defoaming agents used in the manufacture of paper and paperboard* by inserting therein in alphabetical order the new item "Polyoxyethylene (4 mols) decyl phosphate."

Dated: January 18, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63–845; Filed, Jan. 24, 1963; 8:48 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 982) has been filed by Harry Miller Corporation, 4th and Bristol Streets, Philadelphia 40, Pa., proposing the amendment of paragraph (c) of § 121.2531 *Surface lubricants used in the manufacture of metallic articles* by inserting in the list of substances the following new items:

Ethylenediamine tetraacetic acid, tetrasodium salt.
Polyethylene glycol 400 monostearate.
Potassium oleate.
Tallow, sulfonated.

Dated: January 18, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63–846; Filed, Jan. 24, 1963; 8:48 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 999) has been filed by Union Carbide Corporation, 270 Park Avenue, New

York 17, N.Y., proposing the issuance of a regulation to provide for the safe use of 4,4′-isopropylidenediphenol (bisphenol A) and epichlorohydrin condensation polymer as articles or components of articles used in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food.

Dated: January 18, 1963.

J. K. Kirk,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 63-847; Filed, Jan. 24, 1963; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 55]

[Reg. Docket No. 1464; Draft Release No. 62-47B]

CERTIFICATION AND OPERATION RULES FOR AGRICULTURAL AIRCRAFT OPERATIONS

Notice of Proposed Rule Making; Extension of Comment Period

The Flight Standards Service of the Federal Aviation Agency proposed in Draft Release 62-47, published in the Federal Register of November 7, 1962 (27 F.R. 10848), a new Part 55 of the Civil Air Regulations to prescribe certification and operation rules applicable to agricultural aviation. That Draft Release stated that consideration would be given to all comments received on or before January 15, 1963.

Representatives of the Helicopter Association of America requested additional time for study and evaluation of the proposal in order that its convention scheduled to meet January 13 through 16, 1963, could consider it. As a result of that request, the time within which comments would be received was extended to January 31, 1963.

In view of the obvious widespread interest in the proposed new part, and the continued consideration and discussion by interested persons, the Agency has elected to extend the time for submitting comments, before preparing a final rule.

Therefore, the time within which comments on Civil Air Regulations Draft Release No. 62-47 will be received is extended to April 1, 1963.

Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. All comments submitted will be available, both during and after the comment period, in the Docket Section for examination by interested persons.

Issued in Washington, D.C., on January 21, 1963.

G. S. Moore,
*Acting Director,
Flight Standards Service.*

[F.R. Doc. 63-823; Filed, Jan. 24, 1963; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 14904]

COMMERCIAL ANNOUNCEMENTS AND COMMERCIAL CONTINUITY OVER STANDARD, FM AND TELEVISION BROADCAST STATIONS

Proposed Elimination of Objectionable Loudness; Order Extending Time for Filing Comments

1. The Commission has before it for consideration a request for extension of time within which to file comments in the above-captioned proceeding filed by the National Association of Broadcasters (NAB). Comments are now due on January 28, 1963. Petitioner requests that the date be extended to March 18, 1963.

2. In support of this extension of time, NAB states that "the matter transcends questions of engineering technology", and that one aspect which should be considered concerns the physiological and psychological effects of noise on the individual. Petitioner asserts that several licensees have indicated that they would like to cooperate in a study "which would seek to evaluate these subjective considerations," but that a proper evaluation of these factors requires research which could not be accomplished within the time limit prescribed. In view of the novelty of the problem, and the apparent scarcity of scientific data now available for consideration, the Commission believes that good cause has been shown and will grant the requested extension.

3. *Accordingly, it is ordered,* This 18th day of January 1963, that the request of the National Association of Broadcasters is granted, and that the time for filing comments in this proceeding is extended from January 28, 1963 to March 18, 1963.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.241(d)(8) of the Commission's rules.

Released: January 21, 1963.

Federal Communications Commission,
[seal] Ben F. Waple,
Acting Secretary.

[F.R. Doc. 63-838; Filed, Jan. 24, 1963; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 213]

[Reg. M]

FOREIGN BRANCHES OF NATIONAL BANKS

Notice of Proposed Rule Making

The Board of Governors of the Federal Reserve System is considering the adoption of a revision of Part 213 (Regulation M) pursuant to section 25 of the Federal Reserve Act and particularly the amendment thereto by Public Law 87-588, approved August 15, 1962 (76 Stat. 388), "To improve the usefulness of national bank branches in foreign countries".

The proposed revision of Part 213 is intended primarily to carry out the purpose of Public Law 87-588 under which the Board, by regulation, may authorize foreign branches of national banks, subject to certain limitations and conditions, to exercise, in addition to their present powers, such further powers as may be usual in connection with the transaction of the business of banking in the places where such foreign branches transact business. The proposed revision is intended also to facilitate the procedure for authorizations for the establishment of such branches.

Present Part 213, relating only to the suspension of operations, during disturbed conditions, of foreign branches of national banks and of corporations organized under section 25(a) of the Federal Reserve Act, would be retained in § 213.6 of the proposed revision of Part 213 so far as foreign branches of national banks are concerned. With respect to branches or agencies of corporations organized under section 25(a) of the Federal Reserve Act, the matter covered by present Part 213 would be added to Part 211 (Regulation K) of this chapter.

The proposed revision of Part 213 is as follows:

PART 213—FOREIGN BRANCHES OF NATIONAL BANKS

Sec.
213.1 Authority and scope.
213.2 Definitions.
213.3 Permission to establish foreign branches.
213.4 Further powers of foreign branches.
213.5 Conditions.
213.6 Suspension of operations during disturbed conditions.

§ 213.1 Authority and scope.

Pursuant to the authority conferred upon it by section 25 of the Federal Reserve Act, as amended (12 U.S.C. 601-04), the Board of Governors of the Federal Reserve System (hereinafter referred to as "the Board") prescribes the following regulations relating to foreign branches of national banks.

§ 213.2 Definitions.

For the purposes of this part, unless the context otherwise requires:

(a) "Foreign branch" means a branch established by a national bank pursuant to section 25 of the Federal Reserve Act (12 U.S.C. 601-04).

(b) "Foreign country" means any foreign nation or any colony, dependency, or possession thereof, or any overseas territory, dependency, or insular possession of the United States.

§ 213.3 Permission to establish foreign branches.[1]

An application for permission to establish a branch in a specified foreign country for the furtherance of the foreign commerce of the United States may be filed with the Board pursuant to section 25 of the Federal Reserve Act (12 U.S.C. 601–04). If such application is approved, subsequent applications to establish additional branches in that country will be deemed to have been approved thirty days after receipt by the Board of such a subsequent application submitted in accordance with said section 25, unless the Board shall have otherwise advised the national bank within the 30-day period.

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[1] The third paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 321) would require a conforming amendment to § 208.8 (d) and (e) of this chapter (Regulation H), concerning foreign branches of State member banks.

§ 213.4 Further powers of foreign branches.

In addition to its other powers, a foreign branch may, subject to the conditions set forth in § 213.5 and so far as usual in connection with the transaction of the business of banking in the places where it shall transact business:

(a) Execute and deliver guaranties which are dependent only on the happening of specified and readily ascertainable events (such as the absence of shipping documents or the failure to pay additional customs duties) and which are directly related either (1) to the shipment within, importation into, or exportation from any foreign country of goods (but it shall not guarantee payment for such goods), or (2) to specific development projects approved and to be financed in whole or in part by the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Export-Import Bank, or the Agency for International Development;

(b) Accept drafts or bills of exchange drawn upon it having not more than six months' sight to run, exclusive of days of grace, which grow out of transactions involving the shipment of goods within any foreign country, provided shipping documents conveying or securing title are attached or are in the physical possession of the accepting foreign branch or its agent at the time of acceptance;

(c) Purchase and hold certificates of ownership of the central bank, clearing houses, or other similar institutions of the foreign country in which it is located to the extent required by the laws of that country as a condition of there engaging in the business of banking;

(d) Buy and sell, under repurchase agreement or otherwise, obligations of the national government of the foreign country in which it is located which are required by the laws of that country to be held as reserves;

(e) Take and record a lien or other encumbrance on real estate, whether or not such lien or encumbrance is of first priority and whether or not such real estate is improved or has been appraised, as additional protection in connection with a loan;

(f) Exercise such further powers as the Board of Governors may on prior application authorize.

§ 213.5 Conditions.

(a) Notwithstanding the powers granted in § 213.4, a foreign branch shall in no event engage in the general business of producing, distributing, buying or selling goods, wares, or merchandise; nor, except to the limited extent authorized in § 213.4(d), shall a foreign branch engage or participate, directly or indirectly, in the business of underwriting, selling, or distributing securities.

(b) The continued or prospective exercise of any power under § 213.4 shall be subject to any notices interpreting or applying the terms of this part that a national bank may receive from time to time from the Board, and the national bank shall cause its foreign branches to comply therewith. Such branches may, however, unless the notice provides otherwise, complete transactions undertaken in good faith prior to receipt thereof by the national bank.

(c) The Board may, from time to time, request a national bank to submit information showing compliance by its foreign branches with the terms of this part.

§ 213.6 Suspension of operations during disturbed conditions.

Whenever there exists at the place where a foreign branch is located a disturbed condition which, in the opinion of the officer in charge of such branch at the time, endangers the lives of its employees or the property of such branch at such place, or for any other reason beyond the control of the branch and which relates to such disturbed condition renders it impractical for such branch to continue to function, he may suspend the operations of such branch in whole or in part until the reason for such suspension has ceased to exist and until, in the judgment of such officer in charge, the branch may safely be reopened and its operations resumed; but in the meantime in so far as possible every effort shall be made to render service to the depositors of the branch. In all cases of such suspension and resumption of operations the facts shall be reported as soon as possible by such officer in charge of such branch to the head office of the national bank which shall immediately transmit a copy of such report to the Federal Reserve Bank of the district in which such head office is located.

This notice is published pursuant to section 4 of the Administrative Procedure Act and the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.1).

To aid in the consideration of this matter, the Board will be glad to receive from interested persons any relevant data, views, or arguments. Although such material may be sent directly to the Board, it is preferable that it be sent to the Federal Reserve Bank of the district which will forward it to the Board to be considered. All such material should be submitted in writing to be received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 63–833; Filed, Jan. 24, 1963; 8:47 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[P. & S. Docket No. 298]

ST. JOSEPH STOCK YARDS CO.

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on April 3, 1961 (20 A.D. 342), continuing in effect to and including May 1, 1963, an order issued on May 12, 1959 (18 A.D. 458). The order of May 12, 1959, was modified by an order issued on February 6, 1962 (21 A.D. 109). Under such orders the respondent, St. Joseph Stock Yards Company, South St. Joseph, Mo., is authorized to assess the current temporary schedule of rates and charges.

On January 4, 1963, a petition was filed on behalf of the respondent requesting authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below, and requesting that the current schedule, as so modified, be continued in effect until modified by further order.

YARDAGE CHARGES

	Rate per head	
	Present	Proposed
Salable receipts		
Cattle and calves over 400 lbs. (except bulls 700 lbs. or over)	$0.95	$1.00
Bulls (minimum 700 lbs.)	1.50	1.65
* * *	*	*
Hogs	.30	.33
Sheep or goats	.21	.22
Horses or mules	.95	1.00
* * *	*	*
Direct to packers		
Cattle and calves over 400 lbs., (except bulls 700 lbs. or over)	.48	.50
Bulls (minimum 700 lbs.)	.75	.83
* * *	*	*
Hogs	.15	.16
* * *	*	*
Resales or reweighs, except plants, for local delivery		
Cattle	.32	.33
* * *	*	*
Hogs	.11	.12
* * *	*	*
Resales or reweighs, except plants, for shipment off the market		
Cattle	.16	.17
* * *	*	*
Hogs	.04	.05
* * *	*	*

The modifications, if authorized, will produce additional revenue for the respondent and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 21st day of January 1963.

DONALD A. CAMPBELL,
Director, Packers and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 63-824; Filed, Jan. 24, 1963; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OREGON

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 18, 1963.

The United States Geological Survey, Department of the Interior, has filed an application, Serial No. Oregon 06527, for the withdrawal of the lands described below, subject to valid existing rights, from all forms of appropriation under the public land laws, excepting locations of mining claims as provided for in the act of August 11, 1955 (69 Stat. 681), mineral leasing under the mineral leasing laws, grazing under the appropriate grazing laws, and disposal of materials under the act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601–604), as amended. The land in the national forests shall remain under the administration of the United States Forest Service and the vacant public land in the national land reserve shall remain under the jurisdiction of the Bureau of Land Management until the lands are actually needed for power site and reservoir purposes.

The applicant desires the land for classification as power sites for future reservoir developments.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 710 NE. Holladay, Portland 12, Oregon.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

WILLAMETTE MERIDIAN, OREGON

VACANT PUBLIC LAND

T. 1 S., R. 40 E.,
  Sec. 33: S½SW¼.

WHITMAN NATIONAL FOREST

T. 3 S., R. 36 E.,
  Sec. 1: N½SW¼.
T. 5 S., R. 41 E.,
  Sec. 7: N½NE¼, SW¼SW¼NE¼, E½SW¼NE¼, SE¼NE¼.
T. 3 S., R. 42 E.,
  Sec. 26: W½.

WALLOWA NATIONAL FOREST

T. 2 S., R. 41 E.,
  Sec. 10: E½SE¼ and unpatented parts of W½SE¼.

The total area aggregates 725.17 acres.

STANLEY D. LESTER,
Land Office Manager.

[F.R. Doc. 63-835; Filed, Jan. 24, 1963; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-1145]

MOORE-McCORMACK LINES, INC.

Notice of Application and of Hearing

Notice is hereby given of the application of Moore-McCormack Lines, Inc., for written permission of the Deputy Maritime Administrator, under section 805(a) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1223, for its owned vessel, the "SS Robin Kirk," previously under time charter to Isthmian Lines, Inc., and subchartered by that company to States Marine Lines, Inc., to be in turn subchartered to Matson Navigation Company for a voyage commencing about February 1, 1963, from Hawaiian ports to U.S. Gulf and/or U.S. Atlantic Coast ports via port or ports enroute, at charterer's option.

This application may be inspected by interested parties in the Hearing Examiner's Office, Maritime Subsidy Board/Maritime Administration.

A hearing on the application has been set for January 30, 1963, at 10:00 a.m., e.s.t., in room 3905, General Accounting Office Building, 441 G Street NW., Washington 25, D.C. Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a), must before the close of business on January 29, 1963, notify the Secretary, Maritime Subsidy Board/Maritime Administration, in writing, in triplicate, and file petition for leave to intervene, which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in Rule 5(n) of the rules of practice and procedure, Maritime Subsidy Board/Maritime Administration, petitions for leave to intervene received after the close of business on January 29, 1963, will not be granted in this proceeding.

Dated: January 23, 1963.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 63-887; Filed, Jan. 24, 1963; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 63-EA-1]

CITY OF CLEVELAND, OHIO

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of airspace.

The City of Cleveland, Ohio, proposes to construct a heavy lift crane at latitude 41°31′00″ N., longitude 81°42′30″ W., at an overall height of 697 feet above mean sea level (118 feet above ground).

This proposal was circularized and discussed at the FAA Eastern Region Airspace Meeting No. 34, with the above coordinates specified. It was subsequently determined that the correct coordinates for the proposed sites are latitude 41°30′31″ N., longitude 81°42′06″ W. The proposal was not recircularized since the original circular clearly specified that the crane would be situated on the municipally owned West Third Street Pier in Cleveland, and interested persons were aware of the actual location.

The proposed crane would be located on the north face of the West Third Street Pier at a site approximately 2,990 feet south/southwest of the southwest end of existing Runway 6/24 and Runway 6L/24R under construction at the Burke Lakefront Airport, Cleveland, Ohio.

The proposed crane would have a movable boom which would be operated at a maximum height of 118 feet and a minimum height of 84.5 feet above ground. According to the sponsor, the proposed crane would be operated at maximum height an estimated 10 to 20 times per year.

When operated at maximum height, the proposed structure would exceed the criterion contained in § 77.27(b)(1) [New] of the Federal Aviation Regulations as applied to Runway 6L/24R of the Burke Lakefront Airport by approximately 63 feet. At minimum height, the proposed crane would exceed this criterion by approximately 29.5 feet.

While not relevant to an aeronautical study under Part 77, it should be noted that the proposed structure, when operated at its maximum and minimum heights, would violate the instrument runway obstruction criteria contained in section A of the Agency's Technical Standard Order N18 as applied to Runway 6L/24R of this airport by approximately 57 feet and 23.5 feet, respectively, and be located in a runway approach area. Because of its height and location, the city of Cleveland is required by the terms of the Grant Agreement entered into with this Agency on November 29, 1960, under the provisions of the Federal Airport Act, to prevent the erection of the crane at the proposed site.

Based upon the aeronautical study, it is the finding of the Agency that the proposed structure would have no substantial adverse effect upon procedures or minimum flight altitudes associated with the Burke Lakefront Airport, which is currently used for only VFR operations. In the event IFR procedures were to be implemented in the future it is noted that light towers on a nearby stadium would require that minimum approach altitudes for any such procedures be equal to or greater than the minimums required by the proposed structure; therefore, there would be no substantial adverse effect upon future IFR operations at this airport. Current VFR operations would not be adversely affected due to their greater operational flexibility.

No other aeronautical operations, procedures or minimum flight altitudes would be affected.

Therefore, pursuant to the authority delegated to me by the Administrator (§ 77.37 [New]), it is found that the proposed structure would have no substantial adverse effect upon the safe and efficient utilization of airspace and it is hereby determined that the proposed structure would not be a hazard to air navigation provided that it is obstruction marked and lighted in accordance with Agency standards.

This determination is effective as of the date of issuance and will become final 30 days thereafter unless an appeal is filed under § 77.39 [New] (27 F.R. 10352). If the appeal is denied the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later. Unless otherwise revised or terminated, a final determination hereunder will expire 18 months after its effective date or upon abandonment of the construction proposal (§ 77.41 [New]).

Issued in Washington, D.C., on January 17, 1963.

GEORGE R. BORSARI,
Chief, Obstruction Evaluation Branch.

[F.R. Doc. 63-816; Filed, Jan. 24, 1963; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Fiscal Service

EGYPTIAN CURRENCY

Notice of Sales to American Tourists

Pursuant to paragraph 4(d)(5) of Executive Order 10900 of January 5, 1961 (26 F.R. 143), as added by Executive Order 11036 of July 11, 1962 (27 F.R. 6653), notice is hereby given that Egyptian pounds received by the United States Government from the sale of surplus agricultural commodities will be sold at the American Embassy in Cairo to American tourists for purposes of legitimate tourist expenditures. These sales will be made under the authority granted by section 104(s) of the Agricultural Trade Development and Assistance Act of 1954, as added by Act of August 8, 1961 (75 Stat. 306; 7 U.S.C. 1704(s)).

American tourists, upon presentation of passport, may acquire Egyptian currency in exchange for United States currency or for the following United States dollar instruments: (a) Checks drawn on the Treasurer of the United States, (b) postal money orders (within period of negotiability — 1 year), (c) certified checks issued by American banks, (d) travelers checks issued by American banks, (e) bank drafts, (f) cashier checks, (g) bank money orders, (h) express money orders, and (i) personal checks, drawn on a bank located in the United States.

Effective date: January 2, 1963.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 63-825; Filed, Jan. 24, 1963; 8:45 a.m.]

Office of the Secretary

4 PERCENT TREASURY BONDS OF 1988-93

Notice of Sale

Correction

In F.R. Doc. 63-545, appearing at page 496 of the issue of Friday, January 18, 1963, the date "February 15, 1963" in the second sentence of the second paragraph should read "February 15, 1993".

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14321-14328; FCC 63M-95]

BLACK HILLS VIDEO CORP.

Order Following Prehearing Conference

In re applications of Black Hills Video Corporation, for renewal of the license for Station KAR42, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Fredericktown, Missouri, Docket No. 14321, File No. 233-C1-R-61; for modification of license to cover a construction permit for additional facilities for Station KAR42 in the Domestic Public Point-to-Point Microwave Radio Service at Fredericktown, Missouri, Docket No. 14322 File No. 361-C1-ML-61; for renewal of the license for Station KKU98, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Davy, Texas, Docket No. 14323 File No. 338-C1-R-61; for renewal of the license for Station KAP22, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Weld County, Colorado, Docket No. 14324 File No. 752-C1-R-61; for renewal of the license for Station KAP23, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Mitchell, Nebraska, Docket No. 14325 File No. 753-C1-R-61; for renewal of the license for Station KAP25, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Crawford, Nebraska, Docket No. 14326 File No.

754-C1-R-61; for renewal of the license for Station KOY47, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Albin, Wyoming, Docket No. 14327 File No. 755-C1-R-61; for renewal of the license for Station KAQ88, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Custer, South Dakota, Docket No. 14328 File No. 756-C1-R-61.

The Hearing Examiner having under consideration the proceedings at the prehearing conference held in the above-entitled matter on January 18, 1963, on the new issues specified by the Commission in its order wherein it remanded the matter for further hearing (FCC 63-18, released January 8, 1963), and the agreements of the parties as approved therein by the Examiner.

It appearing, that Black Hills Video Corporation (Black Hills) proposes to present its direct case both through written sworn exhibits and through the testimony of witnesses.

It further appearing, that because of the nature of the issues designated, a reasonably extended period should be allowed for the preparation and submission of Black Hills' direct case.

It is ordered, This 18th day of January 1963, that:

(a) Insofar as either of the parties submits its direct case in written form, it should be in the form of sworn exhibits and copies thereof shall be furnished to the other party and to the Examiner no later than March 11, 1963;

(b) Insofar as either of the parties submits its direct case orally, through witnesses, it shall on March 11, 1963, submit a list to the other party and to the Examiner setting forth the name of each witness, the title of his position in the respective entity and, if he is to be presented as an outside expert, a brief description of his qualifications. In each instance there shall also be an indication of the subject with respect to which the witness is to testify and an indication of the issues toward which such testimony is to be directed; and

(c) Insofar as the written direct cases of the parties are concerned, each shall no later than March 18, 1963, notify the other party in writing, with a copy to the Examiner, of the names of the witnesses whom such party desires to cross-examine and the parties so notified shall make such witnesses available for cross-examination at the hearing.

It is further ordered, That the further hearing on remand is scheduled to commence on March 25, 1963, at 10:00 a.m., at the offices of the Commission in Washington, D.C.; and

It is further ordered, That the agreements and understandings entered into between the parties concerning the future conduct of the hearing are approved as set forth in the transcript of the prehearing conference and to this extent are incorporated herein by reference.

Released: January 21, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-839; Filed, Jan. 24, 1963;
8:47 a.m.]

[Docket No. 14901; FCC 63M-100]

PAUL DEAN FORD

Order After Prehearing Conference

In re application of PAUL DEAN FORD, Casey, Illinois; Docket No. 14901, File No. BP-14223; for construction permit.

The Hearing Examiner having under consideration proceedings during prehearing conference in the above-entitled matter held January 18, 1963;

It is ordered, This 18th day of January 1963, that the hearing presently scheduled to commence February 6, 1963 is hereby rescheduled to commence Monday, February 25, 1963, at 10 a.m., at the Commission's offices, Washington, D.C.;

It is ordered further, That applicant will circulate two copies of his exhibits to the other parties and one to the Hearing Examiner by February 4, 1963;

It is ordered further, That the transcript of the prehearing conference is hereby incorporated herein by reference and that the understandings, agreements, and procedural ground rules established during the prehearing conference are hereby approved.

Released: January 21, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-840; Filed, Jan. 24, 1963;
8:47 a.m.]

[Docket No. 14801, 14802; FCC 63M-99]

FRAN-MACK BROADCASTING CO., INC., AND RADIO SMILES, INC.

Order Continuing Prehearing Conference

In re applications of Fran-Mack Broadcasting Company, Inc., Fayetteville, North Carolina, Docket No. 14801, File No. BP-14417; Radio Smiles, Inc., Spring Lake, North Carolina, Docket No. 14802, File No. BP-14615; for construction permits.

The Hearing Examiner having under consideration a petition filed January 17, 1963, on behalf of the above-entitled applicants requesting that the prehearing conference in the above-entitled proceeding now scheduled for January 21, 1963, be continued to March 25, 1963; and

It appearing that the requested continuance arises from the fact that the parties propose to file with the Commission during the week of January 21, 1963, a joint request for approval of an agreement looking toward the dismissal of the Fran-Mack Broadcasting Company, Inc., application and grant of the Radio Smiles, Inc., application and the requested continuance is to give the Commission time to act on such agreement; and

It further appearing that there are no objections to the requested continuance, that the element of time requires immediate consideration thereof and good cause for granting the petition has been shown.

It is ordered, This the 18th day of January 1963, that the petition is granted and the prehearing conference in the above-entitled proceeding now scheduled for January 21, 1963, is continued to March 25, 1963.

Released: January 21, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-841; Filed, Jan. 24, 1963;
8:47 a.m.]

[Docket No. 14852; FCC 63M-97]

MISSISSIPPI VALLEY MICROWAVE CO., INC.

Order Rescheduling Hearing

In re application of Mississippi Valley Microwave Co., Inc., Docket No. 14852, File Nos. 2930-C1-P-62, 2931-C1-P-62; for construction permits to establish stations in the Point-to-Point Microwave Radio Service near Rochester and Winona, Minnesota.

Because of a conflict in the schedule of the Hearing Examiner and with the agreement of all counsel, the evidentiary hearing in the above-entitled proceeding now scheduled for March 18, 1963, is rescheduled to begin on Thursday, March 14, 1963.

It is so ordered, This the 18th day of January 1963.

Released: January 21, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-842; Filed, Jan. 24, 1963;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI63-297—RI63-299]

TEXACO INC. ET AL.

Order Providing Hearings and Suspension of Proposed Changes in Rates[1]

JANUARY 18, 1963.

Texaco Inc., Docket No. RI63-297; J. M. Huber Corporation, Docket No. RI63-298; Southwestern Exploration Company (Operator), et al., Docket No. RI63-299.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a presure base of 14.65 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

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[1] This order does not provide for the consolidation for hearing or disposition of the three matters covered herein, nor should it be so construed.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI63-297	Texaco Inc., P.O. Box 2322, Houston 1, Tex.	133	34	Natural Gas Pipeline Co. of America (Camerick SE. Field, Texas and Beaver Counties, Oklahoma and Blackmore Area, Hansford County, Tex.).	[1]$7,335	12-20-62	[3] 1-23-63	6-23-63	[5] 17.2	[4] 17.4	RI62-284
				Natural Gas Pipeline Co. of America (Oklahoma-Panhandle Area and Texas Railroad District No. 10).	[2] 1,658	----------	----------	----------	[5] 17.36512	[5] 17.56704	RI62-284
	Texaco Inc., P.O. Box 6171, Dallas 22, Tex., Attn: L. W. Calahan, attorney.	216	4	Natural Gas Pipeline Co. of America (Hansford Field, Hansford County, Tex.), (R.R. District No. 10).	46	12-26-62	[6] 1-26-63	6-26-63	[5] 17.2	[2] [5] 17.4	RI62-294
RI63-298	J. M. Huber Corp., 2401 East Second Ave., Denver 6, Colo.	34	7	Natural Gas Pipeline Co. of America (Chunn Field, Hansford County, Tex.), (R.R. District No. 10).	100	12-28-62	[3] 2-1-63	7- 1-63	[5] 17.36512	[2] [5] 17.56704	RI62-293
RI63-299	Southwestern Exploration Co. (Operator), et al., 352 North Broadway, Wichita, Kans.	6	2	Northern Natural Gas Co. (Hugoton Field, Finney County, Kans.)	[7] 807	12-19-62	[6] 1-19-63	6-19-63	[9] 9.0753	[8] [10] 12.0	----------

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[1] Camerick SE. Field (Okla.).

[2] Blackmore Area (Tex.).

[3] The stated effective date is the effective date proposed by Respondent.

[4] Periodic rate increase.

[5] Subject to a downward Btu adjustment for gas containing less than 1,000 Btu's per cubic foot.

[6] The stated effective date is the first day after expiration of the required statutory notice.

[7] Amount based on increase from 9.0753 cents per Mcf to 12.0 cents per Mcf; amount for 718.45 Btu's per cu. ft. gas would be based on difference between 9.0753 cents and 11.0 cents per Mcf or $677.

[8] Redetermined rate increase.

[9] Average rate for previous 12 month period, based on revenues collected for gas having less than 950 Btu's per cu. ft. (calculated average 718.45 Btu's per cu. ft.).

[10] Redetermined rate which is subject to downward Btu adjustment; actual rate for gas containing an average of 718.45 Btu's per cu. ft. under agreement dated 6-29-62 is 11.0 cents per Mcf.

The presently effective rate of Southwestern Exploration Company (Operator), et al. (Southwestern) is 12.0 cents per Mcf, subject to a full proportionate downward adjustment for gas having less than 950 Btu's per cubic foot. During the past twelve months Southwestern received an average of 9.0753 cents per Mcf for the subject gas, indicating an average Btu content of 718 Btu's per cubic foot. No change is proposed in the 12.0 cents per Mcf base price. Southwestern's filing amends the contract so as to limit any reduction of price to 11.0 cents per Mcf, regardless of Btu content. Application of the proposed 11.0 cents per Mcf minimum price to the 718 Btu gas in this case would be the equivalent of a 14.5 cents per Mcf rate of 950 Btu gas. Southwestern requests that the Commission waive the 30-day notice requirement provided in section 4(d) of the Natural Gas Act and permit an effective date of December 19, 1962, for its proposed redetermined rate increase. Good cause has not been shown for the granting of Southwestern's request for an earlier effective date and such request is denied.

The proposed increased rates and charges of Texaco Inc., and J. M. Huber Corporation exceed the applicable area price level for increased rates set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR Ch. I Part 2 § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the four proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the four proposed changed rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 6, 1963.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-831; Filed, Jan. 24, 1963; 8:46 a.m.]

[Docket Nos. CP62-28, CI62-53]

EL PASO NATURAL GAS CO. AND SHELL OIL CO.

Notice of Date of Hearing and of Supplement to Application

JANUARY 18, 1963.

On June 6, 1962, the applications of El Paso Natural Gas Company (El Paso) in Docket No. CP62-28 and of Shell Oil Company (Shell) in Docket No. CI62-53 were noticed and set for hearing on September 10, 1962. Said notice was published in the FEDERAL REGISTER on June 13, 1962 (27 F.R. 5625). By notice of August 23, 1962, said hearing was postponed to a date to be fixed by further notice.

El Paso by its application requests a certificate of public convenience and necessity to operate certain of its existing New Mexico facilities in order to purchase gas from Shell for resale in interstate commerce. Shell by its application requests a certificate of public convenience and necessity authorizing the sale of natural gas to El Paso from the Los Medanos Field, Eddy County, N. Mex.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 26, 1963, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

Take further notice that Shell on September 4, 1962, filed in Docket No. CI62-53 a supplement to its application. The supplement shows that El Paso and

Shell entered into an agreement, dated August 15, 1962, amending the gas purchase agreement, dated May 25, 1961, between Applicants. Said amending agreement provides for a daily-contract-quantity of 1,000 Mcf of natural gas for each 8,000 Mcf of original recoverable reserves commencing with the first deliveries under the agreement.

Protests, petitions to intervene or requests for hearing as to the supplement to Shell's application may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 15, 1963.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-832; Filed, Jan. 24, 1963; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 22, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38123: *Ground barite from Arkansas and Missouri to Dayton, Tex.* Filed by Southwestern Freight Bureau, Agent (No. B-8331), for interested rail carriers. Rates on barite (barytes), ground, not precipitated or refined by chemical process, in carloads, from specified points in Arkansas and Missouri, to Dayton, Tex.

Grounds for relief: Market competition.

Tariff: Supplement 1 to Southwestern Freight Bureau tariff I.C.C. 4509.

FSA No. 38124: *Brick from points in Iowa to central territory points.* Filed by Western Trunk Line Committee, Agent (No. A2289), for interested rail carriers. Rates on building or facing brick (solid, hollow or perforated), except enameled or glazed, other than salt glazed, in carloads, from Adel, Des Moines, Sergeant Bluff and Sioux City, Iowa, to points in Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, and West Virginia.

Grounds for relief: Market competition.

Tariff: Supplement 65 to Western Trunk Line Committee tariff I.C.C. A-4396.

FSA No. 38125: *Sand and gravel from Indiana points to St. Elmo, Ill.* Filed by Illinois Freight Association, Agent (No. 192), for and on behalf of the Chicago & Eastern Illinois Railroad Company. Rates on sand and gravel, as described in the application, in carloads, from Standard Pit and Dickason Pit, Ind., to St. Elmo, Ill.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 27 to Chicago & Eastern Illinois Railroad Company tariff I.C.C. 330.

FSA No. 38126: *Substituted service—STLSW for Southwestern Transportation Company.* Filed by Middlewest Motor Freight Bureau, Agent (No. 332), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars, between interchange points described in the application, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 19 to Middlewest Motor Freight Bureau tariff MF-I.C.C. 377.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-826; Filed, Jan. 24, 1963; 8:45 a.m.]

[Drouth Order 60, Amdt. 15]

UTAH

Authorization to Railroads to Transport Livestock Feed and Hay at Reduced Rates

It appearing that due to the drouth conditions existing in the States of Pennsylvania, New Jersey, and New York, the Commission issued its Drouth Order No. 60 under section 22 of the Interstate Commerce Act authorizing the railroads subject to the Commission's jurisdiction to transport livestock feed and hay to the drouth area at reduced rates.

And it further appearing that the U.S. Department of Agriculture has requested the Commission to enter an order authorizing the same authority to six additional counties located in the State of Utah.

It is ordered, That Drouth Order No. 60, as amended, be, and it is hereby, further amended by adding thereto the following counties:

UTAH

6 counties, viz:

Emery.	Kane.
Grand.	San Juan.
Iron.	Washington.

It is further ordered, That in all other respects Drouth Order No. 60, as amended, shall remain in full force and effect.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association-Eastern Railroads, New York, New York, the Chairman of the Southern Freight Association, Atlanta, Georgia, the Chairman of the Executive Committee, Western Traffic Association, Chicago, Ill., the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 21st day of January A.D. 1963.

By the Commission, Vice-Chairman McPherson.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-827; Filed, Jan. 24, 1963; 8:45 a.m.]

[Rev. S.O. 562, Taylor's I.C.C. Order 150]

FLORIDA EAST COAST RAILWAY CO.

Diversion or Rerouting of Traffic

In the opinion of Charles W. Taylor, Agent, the Florida East Coast Railway Company, because of impending work stoppage and embargo having been issued, is unable to transport traffic routed over and to points on its lines.

It is ordered, That:

(a) Rerouting traffic: The Florida East Coast Railway Company, and its connections, are hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroads desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: The carriers rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 11:59 p.m., January 21, 1963.

(g) Expiration date: This order shall expire at 11:59 p.m., February 15, 1963, unless otherwise modified, changed, suspended, or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D.C., January 21, 1963.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 63-828; Filed, Jan. 24, 1963; 8:45 a.m.]

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